

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Schools and Libraries Universal Service Support Mechanism)	CC Docket No. 02-6
)	
Dutchess County Board of Cooperative Educational Services)	
(Poughkeepsie, New York))	
)	
Request for Review of Decisions of the Universal Service)	
Administrator and Petition for Waiver)	

**DUTCHESS COUNTY BOARD OF COOPERATIVE EDUCATIONAL SERVICES
REQUEST FOR REVIEW OF DECISIONS OF THE
UNIVERSAL SERVICE ADMINISTRATOR AND
PETITION FOR WAIVER**

The Dutchess County Board of Cooperative Educational Services (“DC BOCES”), on its own behalf and on behalf of other entities that participated in a consortium led by DC BOCES, respectfully requests that the Commission review Universal Service Administrative Company (“USAC”) decisions denying a number of applications for Funding Year 2005, waive certain filing deadlines, and remand those applications to USAC for further consideration.¹ USAC denied these applications due to clerical and ministerial errors relating to the filing of Form 471 attachments and/or administrative errors relating to the consortium filing – errors substantially the same as or similar to those at issue in the *Bishop Perry* case.²

¹ This request is filed pursuant to 47 C.F.R. §§ 1.3 and 54.719-54.723. Listings of the funding requests subject to this appeal are attached as Appendices I and III. Appendix VI includes copies of the SLD initial denial letters, DC BOCES’ appeals, and USAC’s letters denying the appeals.

² *Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, New Orleans, LA, et al.; Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, FCC 06-54 (released May 19, 2006) (“*Bishop Perry*”).

INTRODUCTION AND SUMMARY

As discussed below, DC BOCES' request meets the established waiver standard – “good cause therefor is shown” and “special circumstances warrant deviation from the general rule and such deviation will serve the public interest.”³ The special circumstances justifying the waivers requested here – (1) postmarking the signed Form 471 certifications after the close of the filing window, and (2) errors in filling out a form specifying the consortium arrangement – are virtually identical to those that justified the waivers in the *Bishop Perry* case. These are minor “ministerial, clerical or procedural errors” that “could not have resulted in an advantage for [the applicants] in the processing of their application” and cannot fairly “warrant the complete rejection of ... these applicants’ E-rate applications.” *Id.*, ¶¶ 1, 11. In light of the Commission’s unexpected “depart[ure] from prior Commission precedent” in the *Bishop Perry* case, ¶ 9, the waivers requested here would avoid the unfairness of applying one standard to the 196 applications covered by the *Bishop Perry* decision but a different standard to another applicant presenting virtually identical circumstances. The requested waivers would serve the public interest because they would help ensure that the affected educational agencies can continue to provide access to the highest quality connectivity and learning resources to the approximately 140,000 students served by these applicants, while simultaneously preserving the integrity of the program.

BACKGROUND

DC BOCES, headquartered in Poughkeepsie, New York, is a state-chartered Educational Service Agency (“ESA”) that provides administrative support services, including support for telecommunications and Internet access operations, and a variety of other services, to schools

³ 47 C.F.R. § 1.3; *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990); *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *cert. denied*, 409 U.S. 1027 (1972).

throughout Dutchess County and the mid-Hudson Valley region of New York state.⁴ In New York, the BOCES system is extremely strong and has provided support to school districts throughout New York for almost 60 years. Like most other BOCES and schools in New York state, DC BOCES has been an active participant in the Universal Service Program for Schools and Libraries (“E-rate”) since the program’s inception.

For a number of years, four different BOCES in the Hudson Valley region of New York state have worked together through a Joint Management Team (“JMT”) to provide support and economies of scale by specializing in serving particular needs and making those services available to other members of the JMT. In 2004, DC BOCES entered into an agreement with Sullivan County BOCES, Orange-Ulster BOCES, and Ulster County BOCES to file E-rate applications on behalf of these entities as a consortium.⁵ In addition, DC BOCES agreed to file E-rate applications on behalf of 34 of the school districts in the regions served by DC BOCES and the other BOCES in the JMT.

This appeal concerns two sets of applications: (1) fifteen applications filed on behalf of the entities included in the JMT for the 2005 Fund Year, denied by the Schools and Libraries Division (“SLD”) of USAC as late-filed; and (2) one Form 471 Application (#463991) for the 2005 Fund Year filed by Dutchess County BOCES on behalf of Ulster County BOCES, which was denied due to lack of evidence of consortium authority. These applications represent funding requests for \$3,202,377, which is a substantial sum for the entities involved. These funding requests will help support a variety of priority 1 and priority 2 services, including broadband Internet connectivity for thousands of students in 34 different school districts, local

⁴ Additional information about DC BOCES is available at <http://www.dcboces.org>.

⁵ The letter of agency and power of attorney letters authorizing DC BOCES to file applications on behalf of Ulster County BOCES is attached as Appendix IV.

and long distance telephone service, and several significant internal connections projects. We discuss these issues separately below.

1. Fifteen Applications With Late-Filed Certification Signature Pages

DC BOCES completed and submitted 52 applications online on behalf of the entities included in the JMT for the 2005 Fund Year, covering a wide range of services and service providers, including both priority 1 and priority 2 services. Fifteen of these 52 applications were denied by the Schools and Libraries Division (“SLD”) of USAC as late-filed. Although these applications were completed and submitted online in a timely manner, the associated certifications were filed on paper, rather than via electronic signature.

The DC BOCES employee who was responsible for filing these applications apparently confused the requirements associated with the manual certifications on the Form 471 (which must be postmarked prior to the close of the application window) with the requirements of the Item 21 attachments (which do not need to be postmarked prior to the close of the application window). Of the 52 applications that DC BOCES filed, 36 were completed in a timely fashion. For these 36 applications, which were generally the less complicated applications, the DC BOCES employee was able to complete and file both the Item 21 attachments and certifications prior to the close of the Form 471 application window on February 18, 2005.

On the 15 more complicated applications, however, the employee did not complete the Item 21 attachments prior to the end of the application window.⁶ Instead, the employee completed the Item 21 attachments for these applications over the weeks following the close of the application window, and the certifications were mailed along with the Item 21 attachments as they were completed. Although all of the certifications for these 15 applications were signed and

⁶ A listing of the 15 applications that were denied, including the dollars requested for each, is included as Appendix I.

dated prior to the close of the window, they were not postmarked until after the close of the window, when they were sent to the SLD along with the accompanying item 21 attachments.⁷

The SLD denied all 15 of these applications for a failure to file the complete Form 471 application (including the certification pages) prior to the close of the application window.

DC BOCES appealed these denials to USAC in a timely fashion during the spring of 2005. USAC reviewed those appeals and issued decisions upholding the denials during the fall of 2005. Unfortunately, those denial decisions never reached the staff at Dutchess County BOCES, so DC BOCES remained unaware that the SLD had ruled on these appeals until the spring of 2006.

In a further complication, the staff person at DC BOCES responsible for the E-rate applications retired in late January 2006.

In late March and early April of 2006, the new staff person responsible for E-rate made a series of phone calls to the SLD to inquire about the status of the applications. DC BOCES was shocked to learn that some of the appeals had been denied more than six months earlier, and requested copies of the denial letters. As soon as those letters were received, DC BOCES began working to determine the facts of the applications and to understand why the applications were filed incorrectly.

2. Application on Behalf of Ulster County BOCES

DC BOCES, acting on behalf of Ulster County BOCES, filed application #463991 for the 2005 Fund Year for telecommunications in a timely fashion.⁸ DC BOCES drafted and submitted the application, and the hard-copy certification form was signed by the authorized DC BOCES employee. However, the “applicant” on the form was listed as Ulster County BOCES.

⁷ A listing of certification signature dates and mailing dates for each of these 15 applications is included as Appendix II.

⁸ A listing of the Funding Request Numbers included in this Form 471 application is included as Appendix III.

During the program integrity assurance (“PIA”) review process in the spring of 2005, DC BOCES was asked, among other things, to submit copies of the Letters of Agency (“LOAs”) authorizing DC BOCES to file on behalf of the entities listed in the application, including the Ulster County BOCES. As part of the Joint Management Team (JMT), all of the entities participating in the application had signed letters of agency permitting the four BOCES (Dutchess, Ulster, Sullivan, and Orange-Ulster) to file E-rate applications on their behalf. Copies of these LOAs and an explanation of the relationship between the four BOCES (including the powers of attorney granted to one another) were faxed to the PIA reviewers on June 7, 2005 and June 28, 2005.

On August 17, 2005, the SLD issued a Funding Commitment Decision Letter denying the application. The reason given on the denial was that “[c]onsortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.” An appeal of this decision was filed with the SLD on September 20, 2005. USAC reviewed the appeals and apparently issued a decision upholding the denial of these funding requests on January 4, 2006. However, this denial never reached the staff at DC BOCES, so DC BOCES remained unaware that the SLD had ruled on the appeal until the spring of 2006. As with the applications discussed above, the new DC BOCES staff person responsible for the E-rate applications inquired about the status of this application in late March and early April of 2006, was shocked to learn that the appeal had been denied in early January, almost three months prior, and requested a copy of the denial letter.

ARGUMENT

Waivers of the applicable filing deadlines, and a remand to USAC for further consideration, are warranted here for the same reasons as set forth in the *Bishop Perry* decision.

1. Form 471 Errors. The Commission should grant waivers and should direct USAC to conduct a substantive review of the 15 funding applications that were denied on account of the submission of the Form 471 manual certifications (hard-copy signature pages) to USAC after the close of the filing window. DC BOCES filed the electronic version of these applications on time. However, DC BOCES, like many of the applicants in *Bishop Perry*, found that “the rules and instructions for filing ... Form 471 are vague and unclear and [] the resulting misunderstandings led to minor mistakes on [DC BOCES’] applications.” *Bishop Perry*, ¶ 10. In this case, confusion arose as to the difference between the permissive rule that allows filing of the hard-copy Item 21 attachments after the close of the application window, versus the inflexible deadline requiring the hard-copy of the signed certifications to be postmarked on or before the due date of the Form 471. In this case, the certifications for all 15 of the affected applications were signed and dated prior to the close of the window, but placed in the mail subsequently with the Item 21 attachments.

“[A] missing certification does not constitute a substantive violation, but a procedural one.” *Id.*, ¶ 19. As in the *Bishop Perry* case, “[t]he question here is one of timing. USAC denied these applications not because the applicants refused to sign the certification, but because it was not received by USAC by the filing deadline, which meant that the applications were incomplete.” *Id.* An entirely “ministerial” and “clerical” error such as failing to drop a particular piece of paper into the mailbox in connection with otherwise timely-filed applications, *id.*, ¶ 1, should not “warrant the complete rejection of each of these applicants’ E-rate applications.” *Id.*, ¶ 11. “Importantly,” in this case, as in the case of the applications addressed in the *Bishop Perry* decision, “applicants’ errors could not have resulted in an advantage for them in the processing of their application. That is, the applicants’ mistakes, if not caught by

USAC, could not have resulted in the applicant receiving more funding than it was entitled to. In addition, at this time, there is no evidence of waste, fraud or abuse, misuse of funds, or a failure to adhere to core program requirements.” *Id.*

Precisely the same special circumstances and precisely the same public interest factors apply to these applications here as to those in the *Bishop Perry* decision. The public interest would be harmed by “denial of funding in these cases [because it] would inflict undue hardship on the applicants.” *Id.*, ¶ 16. Thus, the waivers requested here “will better ensure that universal service support is distributed first to the applicants who are determined by our rules to be most in need, and thus, further the goals of section 254.” *Id.*, ¶ 9.

2. Consortium Authority. In the case of the Ulster BOCES application, the Commission should waive the USAC processing guideline regarding the listing of the lead member of a consortium. As noted above, due to a clerical error, the filing party on this application was listed as Ulster County BOCES, but the filing was certified and submitted by DC BOCES, which had a valid LOA and power of attorney from Ulster County BOCES authorizing it to make the filing on Ulster County BOCES behalf. This error, while possibly resulting in confusion on the part of the SLD PIA reviewers, was immaterial. As in the *Bishop Perry* case, this inadvertent “minor error” in filling out the application form should not be held to preclude the application from being considered. *Id.*, ¶ 10.

These funding requests were denied because SLD indicated that the entity filing the application (Dutchess County BOCES) did not have authority to file such applications on behalf of Ulster County BOCES. In the Decision on Appeal, the reason given for the denial was that:

[T]he LOAs and the Limited Power of Attorney letters authorize Dutchess County BOCES (not Ulster County BOCES) to submit E-rate applications on the entities’ behalf... [T]here was no evidence provided, during the consortium or appeal

review, that the entities listed in Block 4 of the Form 471 acknowledged that Ulster County BOCES could submit E-rate applications on their behalf.⁹

The circular logic in this finding is incorrect with respect to the funding requests addressed in this appeal. The authority of Ulster County BOCES to file on its own behalf is uncontested. In addition, DC BOCES had authority to file on behalf of Ulster County BOCES, based on the Letter of Agency and power of attorney that previously had been provided to SLD. These documents specifically authorize DC BOCES to submit and sign, on behalf of Ulster County BOCES, any and all forms and documents related to the E-rate program. Furthermore, upon request from PIA, Ulster County BOCES had independently confirmed that DC BOCES was authorized to file the application on behalf of Ulster BOCES.¹⁰ Therefore, with respect to funding requests filed by DC BOCES on behalf of Ulster BOCES for delivery to Ulster BOCES, the rationale included in the Administrator's Decision on Appeal does not apply.

Given that DC BOCES was clearly authorized to file the application on behalf of Ulster County BOCES, we respectfully request that the Commission return the application to USAC for consideration on the funding request numbers listed in Appendix III. Returning the application to USAC for processing will enable Ulster County BOCES to continue to provide the high quality services to its member districts. In addition, it will serve the Commission's goals of promoting the delivery of discounts on eligible services to eligible entities through the E-rate program.

3. 60-Day Appeal Deadline. With respect to both the 15 applications with late-filed Form 471 certifications and the Ulster County BOCES application, the Commission should

⁹ See Administrator's Decision on Appeal, January 4, 2006, Re: Ulster County BOCES Form 471 # 463991.

¹⁰ See PIA request to Ulster County BOCES on April 29, 2005, and response from Ulster County BOCES Superintendent on May 4, 2005, included as part of Appendix V.

waive the rule requiring parties to file appeals of USAC decisions within 60 days of the issuance of those decisions. Here, such a waiver is warranted for several reasons.

First, a waiver of the 60-day appeal deadline is warranted here because, as discussed above, DC BOCES never received timely notice from USAC regarding the denial of its appeals of the SLD decisions. The delay in DC BOCES' receipt of the notice of USAC's denial of its application due to delivery problems should not warrant complete rejection of its appeal. This is precisely analogous to the Commission's analysis of the delivery problems in the *Bishop Perry* decision: just as the "delay in USAC's receipt of the applications in each of these cases [due to third-party delivery problems] does not warrant the complete rejection of each of these applicants' E-rate applications," the delay in DC BOCES' receipt of the decision of USAC should not eliminate DC BOCES' ability to appeal the decision. *Id.*, ¶ 12. In this case, USAC may have "attempted to mail [these documents] on time," but the "problems with a third party carrier [that] prevented the [document] from arriving in a timely manner," *id.*, should not be held to disqualify DC BOCES' appeal. "[W]hen a third-party carrier prevents an application from arriving in a timely manner, flat-out funding denial is a harsh consequence.... In fact, it becomes hard to square denial ... with [the Commission's] duties under the statute to further the deployment of advanced services." *Bishop Perry*, Separate Statement of Commissioner Michael J. Copps.

Second, under the FCC's established precedent prior to the issuance of the *Bishop Perry* decision, it appeared to be clear that DC BOCES would have virtually no chance of success had it appealed the USAC denial orders. In the past the FCC consistently rejected appeals and waiver requests of this nature, *see Bishop Perry*, ¶ 16 & n.47, and in this case DC BOCES had every reason to believe that preparing such an appeal likely would be ineffectual and a waste of

time and money. However, in *Bishop Perry* the FCC granted waivers in a major “depart[ure] from prior Commission precedent.” *Id.*, ¶ 9. Prior to the release of the *Bishop Perry* decision, DC BOCES had no reason to make any effort to meet the 60-day deadline because it had no basis for expecting the Commission to modify its precedent to such an extent. Accordingly, special circumstances in this case justify a waiver of the 60-day appeal deadline.

Third, the waiver requested here should be granted because a possibly significant factor in the delay was the departure of a key employee who was responsible for handling E-rate applications. In cases where “the only official who knows the process [is] unavailable to complete the application on time” or to handle the appeal to the FCC, “the violation at issue is procedural, not substantive,” and the complete rejection of each of these applications is not warranted.” *Id.*, ¶ 14. Thus, the Commission should waive the 60-day appeal filing rule in this case.

Fourth, in this case the Commission should not apply its processing guideline that “Applicants shall have 15 calendar days from the date of receipt of notice in writing by USAC to amend or refile their FCC Form 470, FCC Form 471 or associated certifications. USAC shall apply this directive to all pending applications and appeals even if such applications or appeals are no longer within the filing window.” *Id.*, ¶ 23. Given the completion of USAC’s efforts on this application, this case does not involve a “pending” application. Moreover, this 15-day “minimum processing standard” provision appears not to apply here because DC BOCES did not receive any notice in writing from USAC regarding the need to refile its 2005 applications following the issuance of the *Bishop Perry* order. At a minimum, to the extent that such a 15-day processing guideline could be construed to apply here, the confusing nature of the guideline

itself and the ambiguity of whether it applies in a situation like this one would justify the Commission's waiving such a guideline in this case.

Fifth, waiving the 60-day filing deadline would be in the public interest. No fraud, waste, or abuse is at issue in this case. Instead, these applications cover eligible services, being delivered to eligible entities, that will be used to provide educational benefits to students in the affected districts. If the Commission does not waive the 60 day filing deadline, it will simply result in fewer resources being available to the students in the affected districts as funds are diverted from other programs to make up for the denied discounts and/or the level of telecommunications and Internet services is reduced to meet the budgetary constraints imposed by the denial of discounts. In either case, the reduction of services to schoolchildren in the affected districts is contrary to the public interest and the 60-day filing deadline should be waived.

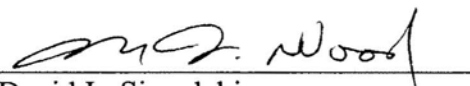
CONCLUSION

In sum, for the reasons discussed above, the Commission should grant the waivers requested here because such waivers would advance the public interest. Given that the errors were entirely ministerial in nature, the failure to process these applications will simply inflict undue hardship on the applicants and, most importantly, the students and communities they serve. By contrast, directing USAC to review these applications further would give DC BOCES and the other educational agencies affected by these denials the opportunity to continue providing the best educational services available to the approximately 140,000 students they serve, and will preserve these students' access to the highest quality connectivity and learning available, while simultaneously preserving the integrity of the E-rate program. We therefore

respectfully request that the Commission grant the waivers requested herein and remand the applications to USAC for further review.

Respectfully submitted,

John C. Pennoyer
District Superintendent
DUTCHESS COUNTY BOARD OF COOPERATIVE
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July 12, 2006

Appendix I: Applications With Late-Filed Certification Signature Pages

Applicant	Form 471 Application Number	Total Funding Requested
Ulster County BOCES	475098	\$330,261.60
Ulster County BOCES	476498	\$530,659.05
Ulster County BOCES	476832	\$239,137.84
Sullivan County BOCES	463203	\$218,332.15
Orange-Ulster BOCES	463293	\$179,648.06
Orange-Ulster BOCES	468534	\$24,735.17
Orange-Ulster BOCES	483774	\$212,824.80
Orange-Ulster BOCES	484330	\$318,695.93
Middletown City School District	468633	\$48,038.40
Millbrook Central School District	483705	\$13,708.80
Dutchess BOCES	462436	\$53,562.79
Dutchess BOCES	472314	\$10,559.00
Dutchess BOCES	470872	\$290,649.05
Dutchess BOCES	462448	\$556,605.00
Dutchess BOCES	470865	\$9,276.69
	TOTAL:	\$3,036,694.33

Appendix II: Certification Signature and Postmark Dates

Applicant	Form 471 Application Number	Certification Signature Date	Certification Postmark Date
Ulster County BOCES	475098	2/16/2005	3/10/2005
Ulster County BOCES	476498	2/17/2005	3/2/2005
Ulster County BOCES	476832	2/18/2005	3/2/2005
Sullivan County BOCES	463203	2/14/2005	2/28/2005
Orange-Ulster BOCES	463293	2/17/2005	2/25/2005
Orange-Ulster BOCES	468534	2/15/2005	2/25/2005
Orange-Ulster BOCES	483774	2/18/2005	3/2/2005
Orange-Ulster BOCES	484330	2/18/2005	2/25/2005
Middletown City School District	468633	2/14/2005	3/15/2005
Millbrook Central School District	483705	2/18/2005	2/22/2005
Dutchess BOCES	462436	2/9/2005	2/22/2005
Dutchess BOCES	472314	2/15/2005	2/23/2005
Dutchess BOCES	470872	2/15/2005	2/23/2005
Dutchess BOCES	462448	2/14/2005	2/23/2005
Dutchess BOCES	470865	2/15/2005	2/22/2005

Appendix III: Applications On Behalf of Ulster County BOCES
(All Funding Requests are from Form 471 # 463991)

Applicant/Recipient of Services	Funding Request Number	Total Funding Requested
Ulster County BOCES	1310074	\$1,384.57
Ulster County BOCES	1310095	\$11,387.96
Ulster County BOCES	1310123	\$142,616.26
Ulster County BOCES	1310150	\$1,681.27
Ulster County BOCES	1310173	\$1,147.09
Ulster County BOCES	1310213	\$7,465.05
	TOTAL:	\$165,682.20

**Appendix IV: Ulster County Letter of Agency, Power of Attorney, and
Verification of DC BOCES Authorization to File E-rate Applications**

**Ulster/Orange/Sullivan/Dutchess Letter of Agency
For Program Year 2005 – 2006**

This is to confirm our School District's participation in the E-Rate Consortium for the procurement of services for the above Program Year. I hereby authorize Dutchess County Boces to submit FCC Form 470, FCC Form 471, and all other E-Rate forms required to the Schools and Libraries Division of the Universal Service Administrative Company on behalf of the undersigned School District.

I understand that in submitting these forms on our behalf, you are making certifications for our School District. By signing this Letter of Agency, I make the following certifications:

- (a) I certify that the schools in our district are all schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1956, do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.
- (b) I certify that the schools in our district have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.
- (c) I certify that the schools in our district are all covered, or will be covered at the time funded services are provided, by approved technology plans (unless discounts are only being requested for basic local and long distance telephone service).
- (d) I certify that our school district is compliant, or will be compliant at the time funded services are provided, with the Children's Internet Protection Act (unless discounts are only being required for telecommunications services).
- (e) I certify that the services that our school district purchases using E-Rate discounts) as described in law 47 U.S.C. Sec. 254) will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.
- (f) I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.
- (g) I certify that our school district has complied with all E-Rate program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.
- (h) I understand that the discount level used for shared services is conditional, for future years, on ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of the benefits from those services.
- (i) I certify that I am authorized to sign this Letter of Agency and, to be best of my knowledge, information and belief, all information provided for E-Rate submission is true.

I understand that persons willfully making false statements on E-Rate forms or through this Letter of Agency can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 305(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

Date: September 30, 2004

District: Ulster County BOCES

Signature: _____

Print Name Jerome F. Callahan

Title Assistant Superintendent for Administration

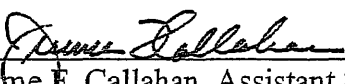
Limited Power of Attorney

Ulster County BOCES entered into a consultant agreement with Dutchess County BOCES, 5 Boces Road, Poughkeepsie, New York, to provide assistance to us in the E-rate application process.

Jerome F. Callahan, Assistant Superintendent for Administration, hereby appoints Laura Zylberberg of Dutchess County BOCES as the Board's attorney in fact, solely for the limited purpose to act in the place and stead and with the same authority as myself to prepare and submit on the Board's behalf all forms and applications required by Schools and Libraries Division of the Universal Service Administrative Company in order to qualify for E-rate discounts for eligible telecommunications programs.

This limited power of attorney shall be in effect from the date below to June 30, 2008.

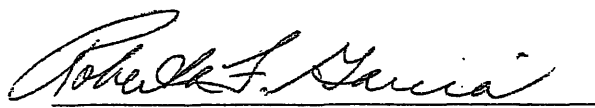
ULSTER COUNTY BOCES


Jerome F. Callahan, Assistant Superintendent for Administration

DATED: September 30, 2004

STATE OF NEW YORK)
) SS:
COUNTY OF ULSTER)

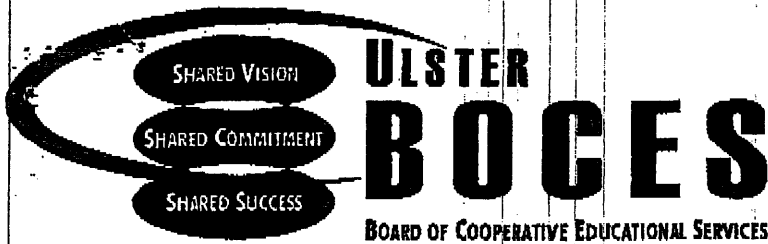
On the 30th day of September in the year 2004, before me personally came Jerome F. Callahan, to me known, who being duly sworn, did depose and say that he is the Assistant Superintendent for Administration of the said corporation, Ulster County BOCES described in and which executed the above instrument, that it was by order of the Board of said corporation that he signed his name thereto.


Notary Public

Seal

DATED: September 30, 2004

CERTIFICATE FILED ULSTER COUNTY
ROBERTA F. GARCIA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01-GA6101348
Qualified in Dutchess County
Commission Expires December 22, 2007



OFFICE OF THE DISTRICT SUPERINTENDENT
Martin Ruglis
District Superintendent and Chief Executive Officer

175 Route 32 North • New Paltz, NY 12561
Telephone: 845-255-3040 • Facsimile: 845-255-7942
Email: mruglis@mhrhc.org • www.ulsterboces.org

MAILED
8/18/04 RB
TO Supt's
cc: BO's

MEMORANDUM

TO: Superintendents of Schools

FROM: Martin Ruglis *MR*
District Superintendent

DATE: August 18, 2004

RE: E-Rate Consortium
Phase 8: Funding Year 2005 – 2006

cc: Business Officials

After careful consideration, the Ulster, Orange-Ulster, and Sullivan BOCES E-Rate consortium has determined NOT to continue our relationship with Thomas Communications and Technologies. Although Thomas' contract will end, they will continue to address any outstanding items from the past years of service.

As a Region, we have explored many different models to deliver E-Rate support to our districts for the next E-Rate funding year. The Joint Management Team (JMT) consisting of the District Superintendents from Dutchess, Orange-Ulster, Sullivan and Ulster BOCES have determined that we have the in-house expertise to manage this program within our region. Therefore, Dutchess BOCES will serve in this capacity and will be our E-Rate consortium consultant.

This consortium will submit for individual district's current telecommunications services as well as any reoccurring telecommunications services that BOCES provides for each district (priority 1 items). Equipment for each district that might be purchased through a BOCES Co-Ser or individually will also be submitted when project planning is entered into with BOCES (priority 2 items).

The cost to participate in this regional consortium will be \$0.85 per student based on RWADA plus an administrative fee of \$100 per district for districts subscribing to the Ed Tech Co-Ser 525.

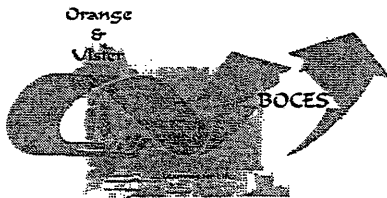
Timely submission of your application is critical due to the fact that funds are available on a first come, first served basis.

The consortium has arranged for informational sessions to be offered in your local region. If your district will be participating in this consortium, a district representative must attend one of these three sessions. The Ulster BOCES informational meeting will take place on September 23, 2004.

DATE	TIME	LOCATION	BOCES CONTACT
September 23, 2004	1pm-3pm	Ulster BOCES Technology Learning Center Modular Meeting Room New Paltz, NY	Richard Dorion 255-1402 x1279
September 27, 2004	9am-11am	Sullivan BOCES	Eliz Huggler 292-0082x151
September 27, 2004	1pm-3pm	Orange-Ulster BOCES	Bob Fraley 774-7228

Please confirm your attendance with the above BOCES contact.

If you choose to participate in the consortium, please sign the attached cross contract authorizing Dutchess BOCES to bill Ulster BOCES for their service and return a copy to my office no later than September 1, 2004.



CROSS CONTRACT FOR BOCES SERVICES

PART I: To be completed by District requesting cross contract

School District requesting service: Port Jervis C.S.D. School Year of Service: 2004-05

Address: 9 Thompson Street, Port Jervis, NY

Zip: 12771

Name of service requested: Telecommunications (E-Rate Consortium)

Potential BOCES Provider: Dutchess BOCES

Estimated Cost: \$

[Signature]
School Superintendent Signature

Date: 10/22/04

Forward to local BOCES District Superintendent

PART II: To be completed by local BOCES District Superintendent

It is requested that cross-contract arrangements be made with Dutchess BOCES to provide the service listed above.

[Signature]
Local BOCES District Superintendent Signature

Date: 11/4/04

Local BOCES name and address: Orange-Ulster BOCES 53 Gibson Road, Goshen, New York 10924

Forward to District Superintendent of BOCES requested to provide service

PART III: To be completed by BOCES District Superintendent providing cross-contracted services

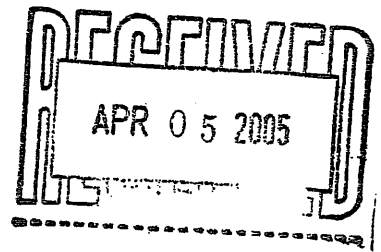
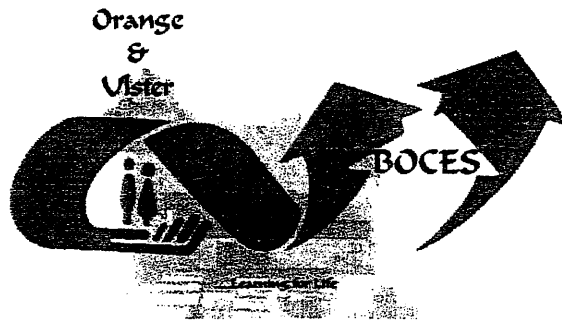
Service Title: E-Rate Consortium CO-SER#: 619.000

Activity Code #: 5711

Estimated Charge: \$

[Signature]
District Superintendent Signature of providing BOCES

Date: 11/22/04



TO: E-Rate Participating Districts

FROM: Bob Fraley *R. Fraley*

DATE: April 1, 2005

RE: **ORIGINAL SERVICE REQUEST FORMS**

Your district has signed a cross-contract form for the E-Rate Consortium. The attached service request form is a continuation of that cross-contract for the 2005-06 school year, during which the E-Rate applications for 2006-07 will be prepared and filed by Dutchess BOCES on your behalf.

Please have the enclosed form signed by the appropriate individual and returned to Laura Zylberberg by April 29th. Her mailing address is:

Dutchess BOCES
Administration Building
5 BOCES Road
Poughkeepsie, NY 12601-6599

If you have any questions, please contact Laura directly at 486-8161.

em
enclosure

March 09, 2005
3:08:58 pm

Dutchess BOCES
Administration Building
5 BOCES Road
Poughkeepsie, NY 12601-6599

Page 1

BOCES Final Services Commitment Form 2006
Fiscal Year: 2005-06

BOCES: ORANGE-ULSTER BOCES

Program/ Service#	Description	2004-05 Contract Amt	Cost Basis	Quantity	2005-06 Contract Unit Cost	Initial Amt	District Budget Code
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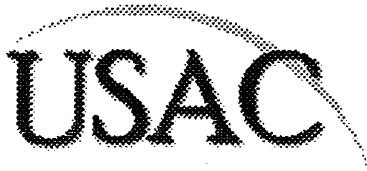
9.060 E RATE CONSORTIUM

PORT JERVIS CITY SD		2,492.53				3,021.00	
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Deborah Laica
Signature of Board President or District Clerk

DATE: 4/12/05

**Appendix V: Correspondence Between Dutchess County BOCES,
Ulster County BOCES, and PIA Reviewers**



Universal Service Administrative Company
Schools & Libraries Division

TO: LAURA ZYLBERBERG
PHONE: 845-486-4800 Ext: 280
FAX: 845-486-4824
E-MAIL: zylberbl@admin.dcboces.org
DATE: 6/1/2005
SENDER: Douglas May
RE: FY 2005 (FY8) Consortium Review – BEN 124229
Response Due: 6/9/2005

<input checked="" type="checkbox"/> Urgent	<input type="checkbox"/> For Review	<input type="checkbox"/> Please Comment	<input checked="" type="checkbox"/> Please Reply	<input type="checkbox"/> Please Recycle
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Laura Zylberberg,

Please provide a letter Authorizing Laura Zylberberg to represent Ulster County BOCES.

This is to confirm our conversation and request for documentation for Ulster County BOCES, BEN 124229 on 6/1/2005. As discussed, please provide documentation/Letters of Agency (LOA) for all entities listed in Block-4 on your 471 certified application(s): 463991, 475098, 476498, and 476832. Please confirm that application 474395 will not be completed.

If you have filed additional applications, and they are **not** listed here, please provide the application numbers and any additional documentation/LOAs associated with these applications.

In addition, if your Documentation/LOAs do not match the Block 4 Entities **exactly**, please provide a cross reference to explain/eliminate any discrepancies. For Example:

- Schools A & B are listed on Block 4 and are related to School District Z for which for you are submitting an LOA.
- Block 4 lists the Main Street Library and your LOA is for the George Washington Memorial Library.

These documents/Letters of Agency should describe that the entity is: 1) a member of the Consortium and, 2) has authorized participation in the filing of the 471 application(s). The document (LOA) **must** contain the following information:

- Name and Title of Consortium Leader
- Name of Consortium Member
- Printed Name, Dated Signature and Title of authorized person at member end

- Dates that indicate the agreement is/was/will be in effect either during the application process or the actual funding year.
- Type of service(s) consortium is authorized to apply for.

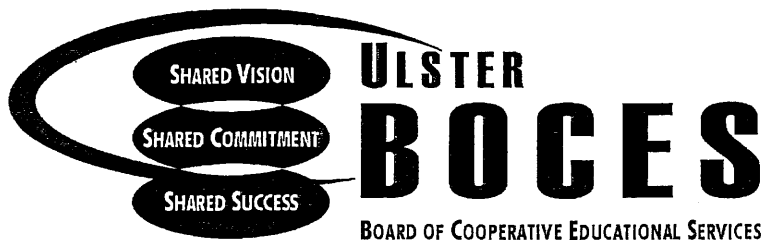
Please fax all documentation to my attention at 973-599-6576 within 7 calendar days.

It is important that we receive the information requested within 7 calendar days so that we may proceed with our review. Failure to provide the information within 7 calendar days may put your application at risk of rejection.

If you have any questions please call me at 973-560-4401

Thank you,

Douglas May
Schools and Libraries Division – Consortium Review
Phone 973-560-4401
FAX: 973-599-6576
E-Mail: dmay@SL.UniversalService.Org



OFFICE OF THE DISTRICT SUPERINTENDENT

Martin Ruglis

District Superintendent and Chief Executive Officer

175 Route 32 North • New Paltz, NY 12561

Telephone: 845-255-3040 • Facsimile: 845-255-7942

Email: mruglis@mhric.org • www.ulsterboces.org

May 4, 2005

Dear Mr. Ferry:

"In response to your e-mail of April 29, 2005, Laura Zylberberg, Staff Specialist - Dutchess County BOCES is authorized to file the FCC Forms 471 on behalf of Ulster County BOCES for the 2005-2006 funding year.

While your letter correctly identifies Form 471 applications #463991, 475098, 476498 and 476832, the stated total funding request of \$1,008,770.88 is the funding request associated with Form 471 #463991 only."

Sincerely,

Martin Ruglis
District Superintendent

MR/rb

cc: Jerry Callahan
Allison West
Laura Zylberberg

BRINGING ULSTER COUNTY SCHOOLS TOGETHER TO ENHANCE TEACHING & LEARNING

Ellenville Central Schools • Highland Central Schools • Kingston City Schools • New Paltz Central Schools •
Onteora Central Schools • Rondout Valley Central Schools • Saugerties Central Schools • Wallkill Central Schools • West Park Union Free School



Universal Service Administrative Company
Schools & Libraries Division

TO: LAURA ZYLBERBERG
PHONE: 845-486-4800 Ext: 280
FAX: 845-486-4824
E-MAIL: zylberbl@admin.dcboces.org
DATE: 6/21/2005
SENDER: Douglas May
RE: FY 2005 (FY8) Consortium Review – BEN 124229
Response Due: 6/28/2005

Laura Zylberberg

As we discussed in our conversation, we are in the process of reviewing all the applications for **Ulster County BOCES, BEN 124229**. To complete my review I need some additional information.

We are in the process of reviewing the consortium application for **BEN 124229 - ULSTER COUNTY BOCES**. You provided Letters of Agency entitled "Ulster/Orange/Sullivan/Dutchess Letter of Agency" that are creating a bit of confusion. It is not clear from the documents what the relationship is between Ulster, Orange, Sullivan, and Dutchess Counties BOCES and why all 4 BOCES are on the Letters of Agency. Please provide an explanation of the relationship and provide any additional documentation necessary to show the relationship

Specifically, is there any documentation that can demonstrate that the "Dutchess County BOCES" can legally be referred to or known as the "Ulster County BOCES" by virtue of some sort of agreement or special relationship?

Please fax or e-mail the requested information to my attention. If you have any questions please feel free to contact me.

It is important that we receive all of the information requested so we can complete its review. **If you are unable to provide the requested information because your school has closed or will shortly close for summer break, please let me know when you will be available to respond to these questions. Failure to do so may result in a reduction or denial of funding.**

If we do not receive the information within seven calendar days, your application will be reviewed using the information currently on file. If you need additional time to prepare your response, please let me know as soon as possible.

Should you wish to cancel this application, or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s); along with the application number and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Sincerely,

Douglas May

Schools and Libraries Division - Consortium Review
Phone: 973-560-4401 FAX: 973-599-6576
E-mail: dmay@sl.universalservice.org
General Web Site: <http://www.sl.universalservice.org>

5 BOCES Road
Poughkeepsie, NY 12601
Tel. No. (845) 486-4800 ext. 280
Fax No. (845) 486-4824

DUTCHESS BOCES

Fax

To: Douglas May – Consortium Review SLD **From:** Laura Zylberberg, Staff Specialist

Fax: 973-599-6576

Pages: 1

Phone:

Date: 6/28/2005

Re: FY 2005 (FY8) Consortium Review – BEN

124229

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

Dear Mr. May,

This is in response to your fax and E-mail of 6/21/05, regarding application 475098 concerning the Letters of Agency provided to you on June 7, 2005. You are asking for an explanation of the relationship between Dutchess County Boces and Ulster County Boces and in particular the reason that the Letters of Agency are entitled Ulster/Orange/Sullivan/Dutchess Letter of Agency.

I am employed by Dutchess County Boces and have been filing E-Rate applications for Dutchess County Boces since the inception of the program. Prior to the 05/06 filings, Ulster Boces, Orange Boces and Sullivan Boces filed their applications through a consultant and contacted Dutchess Boces to ask if Dutchess would be willing to file E-Rate applications for each of the Boces and their component districts. Dutchess Boces agreed to file E-Rate applications for Ulster, Orange and Sullivan Boces as well as each of their component school districts. Our relationship is that we file E-Rate applications for their component school districts as well as for each Boces.

Dutchess County Boces does not act as billing entity. Each of the Boces is the billing entity for themselves and their component school districts. Dutchess County Boces only files E-Rate applications for the other Boces.

If this is not a sufficient response to your inquiry, please let me know.

If you need anything further to assist you, please do not hesitate to contact me.



**Appendix VI: SLD Initial Funding Commitment Decision Letters,
Dutchess County BOCES' Appeals, and USAC Decisions on Appeal**



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2005: 07/01/2005 - 06/30/2006)

August 17, 2005

LAURA ZYLBERBERG
ULSTER COUNTY BOCES
5 BOCES ROAD
POUGHKEEPSIE, NY 12601

Re: Form 471 Application Number: 463991
Funding Year 2005: 07/01/2005 - 06/30/2006
Billed Entity Number: 124229
Billed Entity FCC RN: 001226846
Applicant's Form Identifier: 05ULSTERBOCES-471

Thank you for your Funding Year 2005 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$587,805.39 is "Denied."

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service provider) or Form 472 (Billed Entity) - as products and services are being delivered and billed

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (FRNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) after you file your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that provides a definition for each line of the Report.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - Appellant name,
 - Applicant name and service provider name, if different from appellant,

- Applicant BEN and service provider SPIN,
 - Form 471 Application Number as assigned by the SLD,
 - "Funding Commitment Decision Letter for Funding Year 2005," AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
 4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by the SLD's decision.
 5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on our web site at www.sl.universalservice.org. Click "Continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
 Schools and Libraries Division
 Box 125 - Correspondence Unit
 80 South Jefferson Road
 Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use either the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that the Universal Service Administrative Company (USAC) and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
 Universal Service Administrative Company

A GUIDE TO THE FUNDING COMMITMENT REPORT

A report for each E-rate funding request from your application is attached to this letter. We are providing the following definitions for the items in that report.

FORM 471 APPLICATION NUMBER: The unique identifier assigned to a Form 471 application by the SLD.

FUNDING REQUEST NUMBER (FRN): A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471. This number is used to report to applicants and service providers the status of individual funding requests submitted on a Form 471.

FUNDING STATUS: Each FRN will have one of the following definitions:

1. An FRN that is "Funded" is approved at the level that the SLD determined is appropriate for this FRN. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
2. An FRN that is "Not Funded" is one for which no funds were committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision Explanation." An FRN may be "Not Funded" because the request does not comply with program rules, or because the total amount of funding available for this Funding Year was insufficient to fund all requests.
3. An FRN that is "As Yet Unfunded" reflects a temporary status that is assigned to an FRN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for requests for Internal Connections at a particular discount level. For example, if your application included requests for discounts on both Telecommunications Services and Internal Connections, you might receive a letter with funding commitments for your Telecommunications Services funding requests and a message that your Internal Connection requests are "As Yet Unfunded." You would receive one or more subsequent letters regarding the funding decision on your Internal Connections requests.

CATEGORY OF SERVICE: The type of service ordered from the service provider, as shown on your Form 471.

FORM 470 APPLICATION NUMBER: The Form 470 Application Number associated with this FRN from Block 5, Item 12 of the Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

SERVICE PROVIDER NAME: The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on your Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on your Form 471.

SERVICE START DATE: The Service Start Date for this FRN from Block 5, Item 19 of your Form 471.

CONTRACT EXPIRATION DATE: The Contract Expiration Date for this FRN from Block 5, Item 20b of your Form 471. This will be present only if a contract expiration date was provided on your Form 471.

SITE IDENTIFIER: The Entity Number listed in Form 471, Block 5, Item 22a. This will be present only for "site specific" FRNs.

NUMBER OF MONTHS RECURRING SERVICE PROVIDED IN FUNDING YEAR: The number of months of service that has been approved in the funding year. This will be present only for recurring services.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE RECURRING CHARGES: Eligible monthly pre-discount amount approved for recurring charges multiplied by number of months of recurring service approved for the funding year.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE NON-RECURRING CHARGES: Annual eligible non-recurring charges approved for the funding year.

PRE-DISCOUNT AMOUNT: Amount in Form 471, Block 5, Item 23I, as determined through the application review process.

DISCOUNT PERCENTAGE APPROVED BY THE SLD: The discount rate that the SLD has approved for this service.

FUNDING COMMITMENT DECISION: This represents the total amount of funding that the SLD has reserved to reimburse your service provider for the approved discounts for this service for this funding year. It is important that you and your service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts only for eligible, approved services actually rendered.

FUNDING COMMITMENT DECISION EXPLANATION: This entry provides an explanation of the amount in the "Funding Commitment Decision."

FCDL DATE: The date of this Funding Commitment Decision Letter (FCDL).

WAVE NUMBER: The wave number assigned to FCDLs issued on this date.

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1310074
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143018525
Service Provider Name: Arch Wireless Operating Company, Inc.
Contract Number: MTM
Billing Account Number: 3394445-5
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 215597
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$2,612.40
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$2,612.40
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1310095
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143000677
Service Provider Name: Verizon Wireless
Contract Number: MTM
Billing Account Number: 101458453
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 215597
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$21,486.72
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$21,486.72
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1310123
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001359
Service Provider Name: Verizon New York Inc.
Contract Number: T
Billing Account Number: 845 236-3071 162 240
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 215597
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$269,087.28
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$269,087.28
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1310150
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001359
Service Provider Name: Verizon New York Inc.
Contract Number: T
Billing Account Number: 845 331-5988 393 242
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 215597
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$3,172.20
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$3,172.20
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1310173
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001334
Service Provider Name: Frontier Communications of New York, Inc.
Contract Number: T
Billing Account Number: 845 271-0165/0
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 215597
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$2,164.32
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$2,164.32
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1310213
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001192
Service Provider Name: AT&T Corp.
Contract Number: T
Billing Account Number: 1000-810-9117
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 215597
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$14,085.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$14,085.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1311049
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001192
Service Provider Name: AT&T Corp.
Contract Number: T
Billing Account Number: 845 796 2197 000
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124174
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$182.40
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$182.40
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1311088
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001359
Service Provider Name: Verizon New York Inc.
Contract Number: T
Billing Account Number: 845 796 2197 804 216
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124174
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$1,112.16
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$1,112.16
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1311129
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143016242
Service Provider Name: Paetec Communications Inc.
Contract Number: MTM
Billing Account Number: 2234560
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124174
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$33,103.44
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$33,103.44
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1311169
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143016242
Service Provider Name: Paetec Communications Inc.
Contract Number: MTM
Billing Account Number: 302406
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124210
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$34,355.76
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$34,355.76
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1311238
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143000890
Service Provider Name: Nextel
Contract Number: MTM
Billing Account Number: 611772520
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124210
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$9,739.08
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$9,739.08
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1311256
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143018525
Service Provider Name: Arch Wireless Operating Company, Inc.
Contract Number: MTM
Billing Account Number: 0128024-7
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124210
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$114.84
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$114.84
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1311286
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143018525
Service Provider Name: Arch Wireless Operating Company, Inc.
Contract Number: MTM
Billing Account Number: 5259824-0
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 228584
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$2,191.68
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$2,191.68
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1311314
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143027984
Service Provider Name: American Cellular Corporation
Contract Number: MTM
Billing Account Number: 1210003187
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 228584
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$15,075.36
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$15,075.36
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1311349
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143000677
Service Provider Name: Verizon Wireless
Contract Number: MTM
Billing Account Number: 108485752
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 228584
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$2,333.76
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$2,333.76
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1311369
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143000890
Service Provider Name: Nextel
Contract Number: MTM
Billing Account Number: 371598222
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 228584
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$31,451.76
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$31,451.76
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1311397
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143016242
Service Provider Name: Paetec Communications Inc.
Contract Number: MTM
Billing Account Number: 2175584
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 228584
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$23,714.28
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$23,714.28
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1311423
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143019900
Service Provider Name: BridgeCom International, Inc.
Contract Number: MTM
Billing Account Number: 2037800
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 228584
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$149,171.76
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$149,171.76
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1311439
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143000890
Service Provider Name: Nextel
Contract Number: MTM
Billing Account Number: 366257229
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124230
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$30,466.92
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$30,466.92
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005 -
Wave Number: 008

Funding Request Number: 1311455
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143019900
Service Provider Name: BridgeCom International, Inc.
Contract Number: MTM
Billing Account Number: 2037393
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124230
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$42,793.56
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$42,793.56
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1311481
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001359
Service Provider Name: Verizon New York Inc.
Contract Number: T
Billing Account Number: 914M55-0209-090
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124230
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$22,359.96
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$22,359.96
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1311501
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143027984
Service Provider Name: American Cellular Corporation
Contract Number: MTM
Billing Account Number: 12300027345
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124230
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$5,416.80
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$5,416.80
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1311523
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001192
Service Provider Name: AT&T Corp.
Contract Number: T
Billing Account Number: 1000-807-8387
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124230
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$5,943.36
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$5,943.36
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1311544
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143019900
Service Provider Name: BridgeCom International, Inc.
Contract Number: MTM
Billing Account Number: 2028279
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124167
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$60,283.56
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$60,283.56
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1311573
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143027984
Service Provider Name: American Cellular Corporation
Contract Number: MTM
Billing Account Number: 1210014146
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124167
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$1,263.60
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$1,263.60
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1311626
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001334
Service Provider Name: Frontier Communications of New York, Inc.
Contract Number: T
Billing Account Number: 845 271-0808/0
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124253
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$12,301.20
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$12,301.20
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1311682
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001334
Service Provider Name: Frontier Communications of New York, Inc.
Contract Number: T
Billing Account Number: 845 895-3016/0
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124253
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$12,651.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$12,651.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1311711
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001192
Service Provider Name: AT&T Corp.
Contract Number: T
Billing Account Number: 1000-807-7546
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124253
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$11,626.08
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$11,626.08
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1311738
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143000890
Service Provider Name: Nextel
Contract Number: MTM
Billing Account Number: 2202366726
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124253
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$8,023.80
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$8,023.80
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1311774
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001359
Service Provider Name: Verizon New York Inc.
Contract Number: T
Billing Account Number: 845 384-6710 919 243
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124192
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$4,000.20
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$4,000.20
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1311810
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001192
Service Provider Name: AT&T Corp.
Contract Number: T
Billing Account Number: 020-681-9840-001
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124192
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$2,369.40
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$2,369.40
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1311854
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143027984
Service Provider Name: American Cellular Corporation
Contract Number: MTM
Billing Account Number: 1210088525
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124192
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$380.76
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$380.76
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1313459
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143016242
Service Provider Name: Paetec Communications Inc.
Contract Number: MTM
Billing Account Number: 2060169
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124166
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$50,676.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$50,676.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1313482
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001359
Service Provider Name: Verizon New York Inc.
Contract Number: T
Billing Account Number: 845 334-9089 759 241
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124166
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$26,455.44
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$26,455.44
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1313502
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001192
Service Provider Name: AT&T Corp.
Contract Number: T
Billing Account Number: 055-015-9057-001
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124166
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$6,800.40
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$6,800.40
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1313526
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143018525
Service Provider Name: Arch Wireless Operating Company, Inc.
Contract Number: MTM
Billing Account Number: 3396682-1
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124166
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$4,117.08
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$4,117.08
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1313543
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143027984
Service Provider Name: American Cellular Corporation
Contract Number: MTM
Billing Account Number: 1230025108
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124166
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$5,341.56
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$5,341.56
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1313562
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143016242
Service Provider Name: Paetec Communications Inc.
Contract Number: MTM
Billing Account Number: 2229856
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124188
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$27,121.80
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$27,121.80
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1313579
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001359
Service Provider Name: Verizon New York Inc.
Contract Number: T
Billing Account Number: 845 246-1043 549 24 5
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124166
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$33,967.80
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$33,967.80
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

ECDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1313602
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143001192
Service Provider Name: AT&T Corp.
Contract Number: T
Billing Account Number: 1000-807-7553
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124166
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$6,795.96
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$6,795.96
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

ECDL Date: 08/17/2005
Wave Number: 008

FUNDING COMMITMENT REPORT
Billed Entity Name: ULSTER COUNTY BOCES
BEN: 124229
Funding Year: 2005

Form 471 Application Number: 463991
Funding Request Number: 1313621
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143018525
Service Provider Name: Arch Wireless Operating Company, Inc.
Contract Number: MTM
Billing Account Number: 3393143-7
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124166
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$237.60
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$237.60
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Funding Request Number: 1313663
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 863870000
SPIN: 143027984
Service Provider Name: American Cellular Corporation
Contract Number: MTM
Billing Account Number: 1210014914
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 124166
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$6,995.64
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$6,995.64
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Unauth. Consortium Members
Funding Commitment Decision Explanation: Consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.

FCDL Date: 08/17/2005
Wave Number: 008

Dutchess County Board of Cooperative Educational Services

Administrative Offices: 845.486.4800

Internet: www.dcbores.org

Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

September 20, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Ulster County BOCES
Billed Entity No. 124229
471 Application No. 463991

Gentlemen:

With respect to the above application, on behalf of Ulster County BOCES I am appealing the decision of the SLD dated August 17, 2005 denying the above application in its entirety stating “consortium leader has failed to provide evidence of authority to file Forms 471 on behalf of, or evidence of the membership of, a substantial number of the members included in this consortium.”

Ulster BOCES appeals this determination for the following reason:

- A. Worksheet C No. 667872 indicates 10 entities in the consortium (Ellenville Central School Dist, Highland Central School Dist, Kingston City School Dist, New Paltz Central School Dist, Onteora Central School Dist, Rondout Valley School Dist, Saugerties Central Schools, Ulster County Boces, Wallkill Central School Dist and West Park Union Free School Dist). The 471 application also includes Prep. Worksheet A for each of the 10 entities forming this consortium.
- B. I filed the application on behalf of Ulster County Boces and am listed as the contact name on the application.
- C. On 5/9/05 I was contacted for the first time by the SLD on this application. PIA Team 7, Bill Ferry requested additional information to complete the review of this application. I faxed Mr. Ferry all the information he requested. Over the next month we had several communications and phone calls concerning the application.
- D. On June 1, 2005 I was contacted by one Douglas May, PIA Associate who requested Letters of Agency for all entities listed in Block 4. At that time I told Mr. May that Bill Ferry was also reviewing this application. Mr. May stated he did not know a Bill Ferry.

5 BOCES Road, Poughkeepsie, New York 12601

Phone: 845.486.4820 • Fax: 845.486.4821

E-mail: CARLIND@ADMIN.DCBOCES.ORG

- E. On June 7, 2005 I faxed Mr. May 21 pages compromised of the LOAs for each of the entities identified in "A" above as well as the Limited Power of Attorney signed by each entity identified in "A" above.
- F. On June 21, 2005 Mr. May faxed me requesting an explanation of the relationship between Ulster, Orange, Sullivan and Dutchess Counties Boces, stating that the Letters of Agency provided entitled "Ulster/Orange/Sullivan/Dutchess Letter of Agency" were creating a bit of confusion.
- G. On June 28, 2005 I faxed Mr. May the explanation – Dutchess Boces files E-Rate applications on behalf of Ulster Boces, Orange Boces, Sullivan Boces and Dutchess Boces.
- H. Mr. May never contacted me again concerning this explanation. I, therefore, assumed that the explanation was satisfactory for his review. I was never questioned on the consortium membership as identified in "A".
- I. I was advised by Ulster County Boces that on April 29, 2005 Bill Ferry e-mailed them a letter requesting confirmation that Laura Zylberberg was authorized to file applications on behalf of Ulster County Boces. The District Superintendent responded to that request on May 4, 2005, a copy of which is attached.
- J. 4 separate consortium applications (with the same consortium membership) were filed on behalf of Ulster County Boces. The above application is the only application reviewed by the SLD. Those applications are identified in Mr. Ferry's correspondence of April 29, 2005 to Ulster County BOCES.

On behalf of Ulster BOCES, I respectfully request that the SLD grant this appeal and approve the funding requests identified in Application 463991.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,



Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

January 04, 2006

Laura Zylberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: ULSTER COUNTY BOCES
Billed Entity Number: 124229
Form 471 Application Number: 463991
Funding Request Number(s): 1310074, 1310095, 1310123, 1310150, 1310173,
1310213, 1311049, 1311088, 1311129, 1311169,
1311238, 1311256, 1311286, 1311314, 1311349,
1311369, 1311397, 1311423, 1311439, 1311455,
1311481, 1311501, 1311523, 1311544, 1311573,
1311626, 1311682, 1311711, 1311738, 1311774,
1311810, 1311854, 1313459, 1313482, 1313502,
1313526, 1313543, 1313562, 1313579, 1313602,
1313621, 1313663
Your Correspondence Dated: September 20, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1310074, 1310095, 1310123, 1310150, 1310173,
1310213, 1311049, 1311088, 1311129, 1311169,
1311238, 1311256, 1311286, 1311314, 1311349,
1311369, 1311397, 1311423, 1311439, 1311455,
1311481, 1311501, 1311523, 1311544, 1311573,
1311626, 1311682, 1311711, 1311738, 1311774,
1311810, 1311854, 1313459, 1313482, 1313502,
1313526, 1313543, 1313562, 1313579, 1313602,

Decision on Appeal:

Denied

Explanation:

- On appeal, you seek reversal of the SLD's decision to deny the funding requests because the consortium leader failed to provide evidence of authority to file Forms 471 on behalf of the members of the consortium. You state that you filed the Form 471 application on behalf of Ulster County BOCES and are listed as the contact person on the application. Upon request from a PIA review, you provided the Letters of Agency (LOAs) for the ten entities listed in Block 4 of the Form 471, as well as, the ten Limited Power of Attorney letters from each entity. You also provided, upon PIA request, your explanation of the relationship between Ulster County BOCES and Dutchess County BOCES. You state that Dutchess County BOCES filed E-rate applications on behalf of Ulster County BOCES and other BOCES. In support of your appeal, you include a copy of your Funding Commitment Decision Letter dated August 17, 2005, and a copy of your correspondence with the PIA reviewer regarding the LOAs, the Limited Power of Attorney letters, as well as, the explanation regarding the relationship between Dutchess County BOCES and Ulster County BOCES.
- During the appeal review, the LOAs and the documentation that you provided during the consortium review of your Form 471 application were re-examined. You provided, on March 22, 2005, ten LOAs and ten Limited Power of Attorney letters. However, all the LOAs and the Limited Power of Attorney letters ~~authorize Dutchess County BOCES (not Ulster County BOCES) to submit E-rate applications on the entities' behalf.~~ Dutchess County BOCES was not listed as the consortium lead member on the Form 471 application. Based on your response to the PIA consortium reviewer, you, the authorized contact person listed on the Form 471, are employed by Dutchess County BOCES and have agreed to file E-rate applications on behalf of Ulster, Orange, and Sullivan County BOCES. However, upon request from the PIA reviewer, you were not able to demonstrate that Dutchess County BOCES can legally be referred to or be known as Ulster County BOCES, either by some sort of agreement or special relationship. According to program rules, the consortium lead member must either collect LOAs from each consortium member or be able to provide some other proof that each consortium member knew it was represented on the application. Ulster County BOCES was listed as the consortium lead member on the Form 471. However, ~~there was no evidence provided, during the consortium or appeal review, that the entities listed in Block 4 of the Form 471 acknowledged that Ulster County BOCES could submit E-rate applications on their behalf.~~
- During the Program Integrity Assurance review of your Form 471 application you were asked to provide evidence of your authority to file Forms 471 on behalf of, or evidence of the membership of, all the members included in the consortium. SLD denied your application because you failed to provide proof of your authorization to represent all entities for which services were sought and/or proof of their membership in the consortium. In your appeal, you did not show that the SLD's determination was incorrect. Consequently, your appeal is denied.

- You failed to provide evidence of your authority to file FCC Forms 471 on behalf of, or evidence of, the membership of all the members included in this consortium: FCC rules require that the Form 471 shall be signed by the person authorized to order telecommunications and other supported services for the eligible schools or libraries or the consortium. The Form 471 shall include that person's various certifications under oath, submitted on behalf of eligible entities applying for discounts. 47 C.F.R. § 54.504 (c)(1). During the course of the application review, the SLD may seek documentation to confirm the consortium leader's authorization to represent all entities in the application, proof of each entity's membership in the consortium and their knowledge of filing of the applicable Form (s) 471 on their behalf. *See Instructions for Completing the Schools and Libraries Universal Service , Services Ordered and Certification Form (FCC Form 471), OMB 3060-0806 (October 2002) at Item 33.*

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW

April 11, 2005

LAURA ZYLBERBERG
MILLBROOK CENTRAL SCHOOL DIST
5 BOCES ROAD
ADMINISTRATION BUILDING
POUGHKEEPSIE, NY 12601

Re: Applicant's Form Identifier: 05 MILLBROOK 471
Form 471 Application Number: 483705

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 02/22/2005, which is AFTER the 2005-2006

filing window closed at 11:59 p.m. EST on Friday, February 18, 2005.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2005-2006 applications, about funding for applications filed after the close of the filing window or about plans for the 2006-2007 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site. Click "continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973)599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

Dutchess County Board of Cooperative Educational Services

Administrative Offices: 845.486.4800
Internet: www.dcbores.org

Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Millbrook Central School District
Billed Entity No. 124221
471 Application No. 483705

Gentlemen:

I am appealing the decision of the SLD dated April 8, 2005 for the above applicant. Attached is a copy of the letter I received notifying that the “certification was postmarked outside of window”.

The Millbrook Central School District appeals this determination for the following reason:

- A. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I accepted this answer and submitted applications on file hitting the “paper certification” box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the “submit” key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated “it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application.” It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

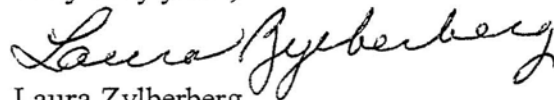
5 BOCES Road, Poughkeepsie, New York 12601
Phone: 845.486.4820 • Fax: 845.486.4821
E-mail: CARLIND@ADMIN.DCBOCES.ORG

I relied on the SLD direction that the Item 21 attachment need not be submitted by the close of the window and that mailing the certification and Item 21 attachment separately might delay review of the application. That reliance was also due to the fact that I had completed the certification portion of 471 application on-line and hit the "submit" button. My copy of the 471 printed from the SLD web site after the application was submitted shows the certification boxes checked. This has been the process followed by the SLD since it first permitted filing on-line. I believe the direction was confusing and misleading since the application is in jeopardy of denial.

On behalf of Millbrook Central School District I respectfully request that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script, reading "Laura Zylberberg".

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

September 09, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: MILLBROOK CENTRAL SCHOOL DIST
Billed Entity Number: 124221
Form 471 Application Number: 483705
Funding Request Number(s): 1340493
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1340493
Decision on Appeal: **Denied**
Explanation:

- On appeal, you are requesting reconsideration of SLD's decision to classify this application as postmarked outside the window. In support of your appeal, you state that you attempted to obtain a PIN in order to certify the applications on-line and accepted advice from SLD personnel that you could not obtain a PIN until you filed applications for one year; therefore, you submitted the applications hitting the "paper certification" box. You state that all boxes were checked when you hit the submit key. You also state that the website reference did not indicate that submitting the certification and the Item 21 attachments after February 18, 2005, would result in the denial of the application. Finally, you inferred from the website that mailing the Item 21 and the certification separately might cause problems and delay review of the application.

- Review of the appeal letter and all supporting documentation indicates that your Form 471 certification was postmarked on February 22, 2005. You have acknowledged on appeal that the certification was sent after the close of the filing window. It is the applicant's responsibility to ensure that all forms are completed correctly and submitted in a timely manner.
- SLD denied your funding request because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et. al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW

April 11, 2005

LAURA ZYLBERBERG
DUTCHESS BOCES
5 BOCES ROAD
POUGHKEEPSIE, NY 12601

Re: Applicant's Form Identifier: 05DBOCESINTEL-471
Form 471 Application Number: 470872

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 02/23/2005, which is AFTER the 2005-2006

filing window closed at 11:59 p.m. EST on Friday, February 18, 2005.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2005-2006 applications, about funding for applications filed after the close of the filing window or about plans for the 2006-2007 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site. Click "continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973)599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

Dutchess County Board of Cooperative Educational Services

Administrative Offices: 845.486.4800

Internet: www.dcboces.org

Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Dutchess BOCES
Billed Entity No. 124258
471 Application No. 470872

Gentlemen:

I am appealing the decision of the SLD dated April 11, 2005 for the above applicant. Attached is a copy of the letter I received notifying that the “certification was postmarked outside of window”.

Dutchess BOCES appeals this determination for the following reason:

- A. Dutchess Boces has filed applications since funding year 1. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I have been signing forms and paperwork on behalf of Dutchess Boces for at least four years. However, I accepted this answer and submitted applications on file hitting the “paper certification” box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the “submit” key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated “it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application.” It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

5 BOCES Road, Poughkeepsie, New York 12601
Phone: 845.486.4820 • Fax: 845.486.4821
E-mail: CARLIND@ADMIN.DCBOCES.ORG

SLD Letter of Appeal

May 6, 2005

I relied on the SLD direction that the Item 21 attachment need not be submitted by the close of the window and that mailing the certification and Item 21 attachment separately might delay review of the application. That reliance was also due to the fact that I had completed the certification portion of 471 application on-line and hit the "submit" button. My copy of the 471 printed from the SLD web site after the application was submitted shows the certification boxes checked. This has been the process followed by the SLD since it first permitted filing on-line. I believe the direction was confusing and misleading since the application is in jeopardy of denial.

Dutchess BOCES respectfully requests that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Laura Zylberberg".

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

August 19, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: DUTCHESS BOCES
Billed Entity Number: 124258
Form 471 Application Number: 470872
Funding Request Number(s): 1297246, 1297252
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1297246, 1297252
Decision on Appeal: **Denied**
Explanation:

- On appeal, you seek the reversal of SLD's decision to classify the above listed Form 471 Certification as postmarked as outside of the filing window. You state that you reviewed the procedures on the Universal Service website for the Schools & Libraries Division for the Item 21 Attachments. From this review, you maintain that the procedures do not clearly state that the submission of the Block 6 Certification with the postmark after the close of the filing window would result in the denial of the application. You assert that from filing your Form 471 online and completing the submission should satisfy the requirements of filing within the window. You request SLD to grant this appeal and change the Form 471 status as certified as inside of the filing window.

- In your letter of appeal, you acknowledge that your Block 6 Certification was postmarked on February 23, 2005, which is after the close of the filing window. In your letter of appeal, you also reference the procedures on the Universal Service website for the Schools & Libraries Division regarding the Item 21 Attachments. A review of the Form 471 Minimum Processing Standards and Filing Requirements clearly states that the Block 6 Certification must be completed and postmarked prior to the close of the filing window for the Funding Year. It is the responsibility of the applicant to ensure that all Forms are submitted to the SLD in a correct and timely manner.
- SLD denied your funding request(s) because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW

April 8, 2005

LAURA ZYLBERBERG
DUTCHESS BOCES
5 BOCES ROAD
POUGHKEEPSIE, NY 12601

Re: Applicant's Form Identifier: 05-DUTCHESS-INF-471
Form 471 Application Number: 462448

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 02/23/2005, which is AFTER the 2005-2006

filing window closed at 11:59 p.m. EST on Friday, February 18, 2005.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2005-2006 applications, about funding for applications filed after the close of the filing window or about plans for the 2006-2007 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site. Click "continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973)599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

Dutchess County Board of Cooperative Educational Services

Administrative Offices: 845.486.4800

Internet: www.dcbores.org

Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Dutchess BOCES
Billed Entity No. 124258
471 Application No. 462448

Gentlemen:

I am appealing the decision of the SLD dated April 8, 2005 for the above applicant. Attached is a copy of the letter I received notifying that the “certification was postmarked outside of window”.

Dutchess BOCES appeals this determination for the following reason:

- A. Dutchess Boces has filed applications since funding year 1. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I have been signing forms and paperwork on behalf of Dutchess Boces for at least four years. However, I accepted this answer and submitted applications on file hitting the “paper certification” box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the “submit” key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated “it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application.” It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

5 BOCES Road, Poughkeepsie, New York 12601
Phone: 845.486.4820 • Fax: 845.486.4821
E-mail: CARLIND@ADMIN.DCBOCES.ORG

SLD Letter of Appeal

May 6, 2005

I relied on the SLD direction that the Item 21 attachment need not be submitted by the close of the window and that mailing the certification and Item 21 attachment separately might delay review of the application. That reliance was also due to the fact that I had completed the certification portion of 471 application on-line and hit the "submit" button. My copy of the 471 printed from the SLD web site after the application was submitted shows the certification boxes checked. This has been the process followed by the SLD since it first permitted filing on-line. I believe the direction was confusing and misleading since the application is in jeopardy of denial.

Dutchess BOCES respectfully requests that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Laura Zylberberg".

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

August 19, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: DUTCHESS BOCES
Billed Entity Number: 124258
Form 471 Application Number: 462448
Funding Request Number(s): 1273193
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1273193
Decision on Appeal: **Denied**
Explanation:

- On appeal, you seek the reversal of SLD's decision to classify the above listed Form 471 Certification as postmarked as outside of the filing window. You state that you reviewed the procedures on the Universal Service website for the Schools & Libraries Division for the Item 21 Attachments. From this review, you maintain that the procedures do not clearly state that the submission of the Block 6 Certification with the postmark after the close of the filing window would result in the denial of the application. You assert that from filing your Form 471 online and completing the submission should satisfy the requirements of filing within the window. You request SLD to grant this appeal and change the Form 471 status as certified as inside of the filing window.

- In your letter of appeal, you acknowledge that your Block 6 Certification was postmarked on February 23, 2005, which is after the close of the filing window. In your letter of appeal, you also reference the procedures on the Universal Service website for the Schools & Libraries Division regarding the Item 21 Attachments. A review of the Form 471 Minimum Processing Standards and Filing Requirements clearly states that the Block 6 Certification must be completed and postmarked prior to the close of the filing window for the Funding Year. It is the responsibility of the applicant to ensure that all Forms are submitted to the SLD in a correct and timely manner.
- SLD denied your funding request because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

**FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW**

April 26, 2005

LAURA ZYLBERBERG
ULSTER COUNTY BOCES
5 BOCES ROAD
POUGHKEEPISE, NY 12601

**Re: Applicant's Form Identifier: 05-4CTY-HVD-471
Form 471 Application Number: 476832**

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 03/02/2005, which is AFTER the 2005-2006 filing window closed at 11:59 p.m. EST on Friday, February 18, 2005. Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2005-2006 applications, about funding for applications filed after the close of the filing window or about plans for the 2006-2007 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site. Click "continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973)599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

Dutchess County Board of Cooperative Educational Services

Administrative Offices: 845.486.4800
Internet: www.dcbores.org

Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Ulster County BOCES
Billed Entity No. 124229
471 Application No. 476832

Gentlemen:

I am appealing the decision of the SLD dated April 8, 2005 for the above applicant. Attached is a copy of the letter I received notifying that the “certification was postmarked outside of window”.

Ulster BOCES appeals this determination for the following reason:

- A. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I accepted this answer and submitted applications on file hitting the “paper certification” box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the “submit” key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated “it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application.” It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

5 BOCES Road, Poughkeepsie, New York 12601
Phone: 845.486.4820 • Fax: 845.486.4821
E-mail: CARLIND@ADMIN.DCBOCES.ORG

I relied on the SLD direction that the Item 21 attachment need not be submitted by the close of the window and that mailing the certification and Item 21 attachment separately might delay review of the application. That reliance was also due to the fact that I had completed the certification portion of 471 application on-line and hit the "submit" button. My copy of the 471 printed from the SLD web site after the application was submitted shows the certification boxes checked. This has been the process followed by the SLD since it first permitted filing on-line. I believe the direction was confusing and misleading since the application is in jeopardy of denial.

On behalf of Ulster BOCES, I respectfully request that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Laura Zylberberg".

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company

Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

August 19, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: ULSTER COUNTY BOCES
Billed Entity Number: 124229
Form 471 Application Number: 476832
Funding Request Number(s): 1340132
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1340132

Decision on Appeal: **Denied**

Explanation:

- In your appeal letter, you indicated that you attempted to obtain a PIN for online certifications. Unsuccessful at that, you filed the Form 471 application online, signed the Form 471 Certification on February 18, 2005 and mailed it with your Item-21 attachments on March 2, 2005. You mentioned that the SLD web site indicates there are no deadlines for filing of the Item-21 attachments, and you also were under the impression that mailing the Certification and Item-21 attachments separately may delay processing of your application. You further indicate that since you filed the Form 471 application online within the program application filing window, you were in conformance with program policy.
- A thorough review of your appeal letter, the relevant facts and documents, show that although you did file the Form 471 application online within the program

application filing window, you mailed the Certification on March 2, 2005, outside of that window. Program rules require that the Block 6 certification must be received or postmarked within the application filing window, otherwise the entire application will be considered as filed outside of the window. It is the responsibility of the applicant to ensure that all forms are correct, complete and submitted to SLD within the program application filing window.

- SLD denied your funding request because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et. al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW

April 8, 2005

LAURA ZYLBERBERG
ULSTER COUNTY BOCES
5 BOCES ROAD
POUGHKEEPSIE, NY 12601

Re: Applicant's Form Identifier: 05ULSTER-TW2-471
Form 471 Application Number: 475098

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 03/10/2005, which is AFTER the 2005-2006

filing window closed at 11:59 p.m. EST on Friday, February 18, 2005.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2005-2006 applications, about funding for applications filed after the close of the filing window or about plans for the 2006-2007 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),

AND

 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site. Click "continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973)599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

**Schools and Libraries Division
Universal Service Administrative Company**

Dutchess County Board of Cooperative Educational Services

Administrative Offices: 845.486.4800
Internet: www.dcboces.org

Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Ulster County BOCES
Billed Entity No. 124229
471 Application No. 475098

Gentlemen:

I am appealing the decision of the SLD dated April 8, 2005 for the above applicant. Attached is a copy of the letter I received notifying that the "certification was postmarked outside of window".

Ulster BOCES appeals this determination for the following reason:

- A. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I accepted this answer and submitted applications on file hitting the "paper certification" box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the "submit" key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated "it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application." It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

5 BOCES Road, Poughkeepsie, New York 12601
Phone: 845.486.4820 • Fax: 845.486.4821
E-mail: CARLIND@ADMIN.DCBOCES.ORG

I relied on the SLD direction that the Item 21 attachment need not be submitted by the close of the window and that mailing the certification and Item 21 attachment separately might delay review of the application. That reliance was also due to the fact that I had completed the certification portion of 471 application on-line and hit the "submit" button. My copy of the 471 printed from the SLD web site after the application was submitted shows the certification boxes checked. This has been the process followed by the SLD since it first permitted filing on-line. I believe the direction was confusing and misleading since the application is in jeopardy of denial.

On behalf of Ulster BOCES, I respectfully requests that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Laura Zylberberg".

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

September 19, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: ULSTER COUNTY BOCES
Billed Entity Number: 124229
Form 471 Application Number: 475098
Funding Request Number(s): 1310445
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1310445
Decision on Appeal: **Denied**
Explanation:

- On appeal, you seek reversal of SLD's decision to classify the above listed Form 471 Certification as postmarked outside of the 2005-2006 filing window. You state that you reviewed the procedures for processing Item 21 Attachments, posted on The Universal Service Administrative Company, Schools & Libraries Division website. Per the SLD website reference, you maintain that the procedures do not clearly state that the submission of the Form 471 Certification with a postmark after the close of the filing window would result in a denial of the application. You assert that by filing your Form 471 online and completing the certification portion online that this should satisfy the requirements of filing within the window. You request that SLD grant this appeal and change the Form 471 status as certified inside the filing window.

- After reviewing your appeal letter, the relevant facts, and documents, the SLD has determined that although the Form 471 application was filed online within the program application filing window, your Form 471 Certification was not postmarked until March 10, 2005, outside of that window. In your letter of appeal, you acknowledge that your Form 471 was filed online and that the Form 471 Certification portion was also completed online. In your letter of appeal, you also reference the procedures on The Universal Service Administrative Company, Schools & Libraries Division website for processing Item 21 Attachments. The Form 471 Minimum Processing Standards and Filing Requirements posted on the SLD website, clearly state that the Form 471 Block 6 Certification page must be completed and postmarked on or before the close of the filing window for the Funding Year. It is the responsibility of the applicant to ensure that all Forms are submitted to the SLD in a correct and timely manner.
- SLD denied your funding request because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et. al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company

Schools & Libraries Division

**FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW**

April 26, 2005

LAURA ZYLBERBERG
ULSTER COUNTY BOCES
5 BOCES ROAD
POUGHKEEPSIE, NY 12601

**Re: Applicant's Form Identifier: 05-ULSTER-IC-471
Form 471 Application Number: 476498**

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 03/02/2005, which is AFTER the 2005-2006

filing window closed at 11:59 p.m. EST on Friday, February 18, 2005.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2005-2006 applications, about funding for applications filed after the close of the filing window or about plans for the 2006-2007 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),

AND

 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site. Click "continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973)599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

Dutchess County Board of Cooperative Educational Services

Administrative Offices: 845.486.4800

Internet: www.dcboces.org

Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Ulster County BOCES
Billed Entity No. 124229
471 Application No. 476498

Gentlemen:

I am appealing the decision of the SLD dated April 26 2005 for the above applicant. Attached is a copy of the letter I received notifying that the “certification was postmarked outside of window”.

Ulster BOCES appeals this determination for the following reason:

- A. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I accepted this answer and submitted applications on file hitting the “paper certification” box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the “submit” key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated “it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application.” It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

5 BOCES Road, Poughkeepsie, New York 12601

Phone: 845.486.4820 • Fax: 845.486.4821

E-mail: CARLIND@ADMIN.DCBOCES.ORG

I relied on the SLD direction that the Item 21 attachment need not be submitted by the close of the window and that mailing the certification and Item 21 attachment separately might delay review of the application. That reliance was also due to the fact that I had completed the certification portion of 471 application on-line and hit the "submit" button. My copy of the 471 printed from the SLD web site after the application was submitted shows the certification boxes checked. This has been the process followed by the SLD since it first permitted filing on-line. I believe the direction was confusing and misleading since the application is in jeopardy of denial.

On behalf of Ulster BOCES, I respectfully requests that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Laura Zylberberg".

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

September 19, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: ULSTER COUNTY BOCES
Billed Entity Number: 124229
Form 471 Application Number: 476498
Funding Request Number(s): 1314727, 1314764, 1314797, 1323120
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1314727, 1314764, 1314797, 1323120
Decision on Appeal: **Denied**
Explanation:

- On appeal, you seek reversal of SLD's decision to classify the above listed Form 471 Certification as postmarked outside of the 2005-2006 filing window. You state that you reviewed the procedures for processing Item 21 Attachments, posted on The Universal Service Administrative Company, Schools & Libraries Division website. Per the SLD website reference, you maintain that the procedures do not clearly state that the submission of the Form 471 Certification with a postmark after the close of the filing window would result in a denial of the application. You assert that by filing your Form 471 online and completing the certification portion online that this should satisfy the requirements of filing within the window. You request that SLD grant this appeal and change the Form 471 status as certified inside the filing window.

- After reviewing your appeal letter, the relevant facts, and documents, the SLD has determined that although the Form 471 application was filed online within the program application filing window, your Form 471 Certification was not postmarked until March 2, 2005, outside of that window. In your letter of appeal, you acknowledge that your Form 471 was filed online and that the Form 471 Certification portion was also completed online. In your letter of appeal, you also reference the procedures on The Universal Service Administrative Company, Schools & Libraries Division website for processing Item 21 Attachments. The Form 471 Minimum Processing Standards and Filing Requirements posted on the SLD website, clearly state that the Form 471 Block 6 Certification page must be completed and postmarked on or before the close of the filing window for the Funding Year. It is the responsibility of the applicant to ensure that all Forms are submitted to the SLD in a correct and timely manner.
- SLD denied your funding requests because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et. al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW

April 8, 2005

LAURA ZYLBERBERG
SULLIVAN COUNTY BOCES
5 BOCES ROAD
POUGHKEEPSIE, NY 12601

Re: Applicant's Form Identifier: 05SULLIVAN BOCES471
Form 471 Application Number: 463203

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 02/28/2005, which is AFTER the 2005-2006

filing window closed at 11:59 p.m. EST on Friday, February 18, 2005.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2005-2006 applications, about funding for applications filed after the close of the filing window or about plans for the 2006-2007 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site. Click "continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973)599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

Dutchess County Board of Cooperative Educational Services

Administrative Offices: 845.486.4800

Internet: www.dcbores.org

Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Sullivan County BOCES
Billed Entity No. 124275
471 Application No. 463203

Gentlemen:

I am appealing the decision of the SLD dated April 8, 2005 for the above applicant. Attached is a copy of the letter I received notifying that the “certification was postmarked outside of window”.

Sullivan BOCES appeals this determination for the following reason:

- A. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I accepted this answer and submitted applications on file hitting the “paper certification” box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the “submit” key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated “it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application.” It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

5 BOCES Road, Poughkeepsie, New York 12601
Phone: 845.486.4820 • Fax: 845.486.4821
E-mail: CARLIND@ADMIN.DCBORES.ORG

I relied on the SLD direction that the Item 21 attachment need not be submitted by the close of the window and that mailing the certification and Item 21 attachment separately might delay review of the application. That reliance was also due to the fact that I had completed the certification portion of 471 application on-line and hit the "submit" button. My copy of the 471 printed from the SLD web site after the application was submitted shows the certification boxes checked. This has been the process followed by the SLD since it first permitted filing on-line. I believe the direction was confusing and misleading since the application is in jeopardy of denial.

On behalf of Sullivan BOCES, I respectfully request that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Laura Zylberberg".

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

August 19, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: SULLIVAN COUNTY BOCES
Billed Entity Number: 124275
Form 471 Application Number: 463203
Funding Request Number(s): 1273636, 1274347, 1274366, 1274391, 1274480,
1274621, 1274641, 1274669, 1274709
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1273636, 1274347, 1274366, 1274391, 1274480,
1274621, 1274641, 1274669, 1274709

Decision on Appeal: **Denied**

Explanation:

- On appeal, you seek the reversal of SLD's decision to classify the above listed Form 471 Certification as postmarked as outside of the filing window. You state that you reviewed the procedures on the Universal Service website for the Schools & Libraries Division for the Item 21 Attachments. From this review, you maintain that the procedures do not clearly state that the submission of the Block 6 Certification with the postmark after the close of the filing window would result in the denial of the application. You assert that from filing your Form 471 online and completing the submission should satisfy the requirements of filing within the window. You request SLD to grant this appeal and change the Form 471 status as certified as inside of the filing window.

- In your letter of appeal, you acknowledge that your Block 6 Certification was postmarked on February 28, 2005, which is after the close of the filing window. In your letter of appeal, you also reference the procedures on the Universal Service website for the Schools & Libraries Division regarding the Item 21 Attachments. A review of the Form 471 Minimum Processing Standards and Filing Requirements clearly states that the Block 6 Certification must be completed and postmarked prior to the close of the filing window for the Funding Year. It is the responsibility of the applicant to ensure that all Forms are submitted to the SLD in a correct and timely manner.
- SLD denied your funding request(s) because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et. al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

**FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW**

April 8, 2005

LAURA ZYLBERBERG
ORANGE-ULSTER BOCES
5 BOCES ROAD
POUGHKEEPSIE, NY 12601

**Re: Applicant's Form Identifier: 05-OUBOCES-471
Form 471 Application Number: 463293**

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 02/25/2005, which is AFTER the 2005-2006 filing window closed at 11:59 p.m. EST on Friday, February 18, 2005.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2005-2006 applications, about funding for applications filed after the close of the filing window or about plans for the 2006-2007 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),

AND

 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site. Click "continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973)599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

Dutchess County Board of Cooperative Educational Services

Administrative Offices: 845.486.4800

Internet: www.dcboces.org

Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Orange-Ulster BOCES
Billed Entity No. 201792
471 Application No. 463293

Gentlemen:

I am appealing the decision of the SLD dated April 8, 2005 for the above applicant. Attached is a copy of the letter I received notifying that the “certification was postmarked outside of window”.

Orange-Ulster BOCES appeals this determination for the following reason:

- A. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I accepted this answer and submitted applications on file hitting the “paper certification” box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the “submit” key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated “it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application.” It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

5 BOCES Road, Poughkeepsie, New York 12601
Phone: 845.486.4820 • Fax: 845.486.4821
E-mail: CARLIND@ADMIN.DCBOCES.ORG

I relied on the SLD direction that the Item 21 attachment need not be submitted by the close of the window and that mailing the certification and Item 21 attachment separately might delay review of the application. That reliance was also due to the fact that I had completed the certification portion of 471 application on-line and hit the "submit" button. My copy of the 471 printed from the SLD web site after the application was submitted shows the certification boxes checked. This has been the process followed by the SLD since it first permitted filing on-line. I believe the direction was confusing and misleading since the application is in jeopardy of denial.

On behalf of Orange-Ulster BOCES, I respectfully request that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Laura Zylberberg", written in dark ink.

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

September 06, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: ORANGE-ULSTER BOCES
Billed Entity Number: 201792
Form 471 Application Number: 463293
Funding Request Number(s): 1289425, 1289439, 1289454, 1289488, 1289503,
1289537, 1331871, 1331918
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1289425, 1289439, 1289454, 1289488, 1289503,
1289537, 1331871, 1331918

Decision on Appeal: **Denied**

Explanation:

- On appeal, you seek reversal of SLD's decision to classify the above listed Form 471 Certification as postmarked outside of the 2005-2006 filing window. You state that you reviewed the procedures for processing Item 21 Attachments, posted on The Universal Service Administrative Company, Schools & Libraries Division website. Per the SLD website reference, you maintain that the procedures do not clearly state that the submission of the Form 471 Certification with a postmark after the close of the filing window would result in a denial of the application. You assert that by filing your Form 471 online and completing the certification portion online that this should satisfy the requirements of filing

within the window. You request that SLD grant this appeal and change the Form 471 status as certified inside the filing window.

- In your letter of appeal, you acknowledge that your Form 471 was filed online and that the Form 471 Certification portion was also completed online. In your letter of appeal, you reference the procedures on The Universal Service Administrative Company, Schools & Libraries Division website for processing Item 21 Attachments. The Form 471 Minimum Processing Standards and Filing Requirements, posted on the SLD website, clearly state that the Form 471 Block 6 Certification page must be completed and postmarked on or before the close of the filing window for the Funding Year. It is the responsibility of the applicant to ensure that all Forms are submitted to the SLD in a correct and timely manner.
- SLD denied your funding request(s) because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW

April 8, 2005

LAURA ZYLBERBERG
ORANGE-ULSTER BOCES
5 BOCES ROAD
POUGHKEEPSIE, NY 12604

Re: Applicant's Form Identifier: 05-OUBOCEST1-471
Form 471 Application Number: 468534

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 02/25/2005, which is AFTER the 2005-2006

filing window closed at 11:59 p.m. EST on Friday, February 18, 2005.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2005-2006 applications, about funding for applications filed after the close of the filing window or about plans for the 2006-2007 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site. Click "continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973)599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

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Schools and Libraries Division
Universal Service Administrative Company

Dutchess County Board of Cooperative Educational Services

Administrative Offices: 845.486.4800
Internet: www.dcbooces.org

Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Orange-Ulster BOCES
Billed Entity No. 201792
471 Application No. 468534

Gentlemen:

I am appealing the decision of the SLD dated April 8, 2005 for the above applicant. Attached is a copy of the letter I received notifying that the “certification was postmarked outside of window”.

Orange-Ulster BOCES appeals this determination for the following reason:

- A. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I accepted this answer and submitted applications on file hitting the “paper certification” box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the “submit” key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated “it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application.” It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

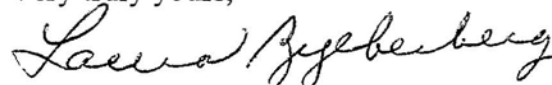
5 BOCES Road, Poughkeepsie, New York 12601
Phone: 845.486.4820 • Fax: 845.486.4821
E-mail: CARLIND@ADMIN.DCBOCES.ORG

I relied on the SLD direction that the Item 21 attachment need not be submitted by the close of the window and that mailing the certification and Item 21 attachment separately might delay review of the application. That reliance was also due to the fact that I had completed the certification portion of 471 application on-line and hit the "submit" button. My copy of the 471 printed from the SLD web site after the application was submitted shows the certification boxes checked. This has been the process followed by the SLD since it first permitted filing on-line. I believe the direction was confusing and misleading since the application is in jeopardy of denial.

On behalf of Orange-Ulster BOCES, I respectfully request that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script that reads "Laura Zylberberg".

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

September 06, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: ORANGE-ULSTER BOCES
Billed Entity Number: 201792
Form 471 Application Number: 468534
Funding Request Number(s): 1289696
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1289696
Decision on Appeal: **Denied**
Explanation:

- On appeal, you seek reversal of SLD's decision to classify the above listed Form 471 Certification as postmarked outside of the 2005-2006 filing window. You state that you reviewed the procedures for processing Item 21 Attachments, posted on The Universal Service Administrative Company, Schools & Libraries Division website. Per the SLD website reference, you maintain that the procedures do not clearly state that the submission of the Form 471 Certification with a postmark after the close of the filing window would result in a denial of the application. You assert that by filing your Form 471 online and completing the certification portion online that this should satisfy the requirements of filing within the window. You request that SLD grant this appeal and change the Form 471 status as certified inside the filing window.

- In your letter of appeal, you acknowledge that your Form 471 was filed online and that the Form 471 Certification portion was also completed online. In your letter of appeal, you reference the procedures on The Universal Service Administrative Company, Schools & Libraries Division website for processing Item 21 Attachments. The Form 471 Minimum Processing Standards and Filing Requirements, posted on the SLD website, clearly state that the Form 471 Block 6 Certification page must be completed and postmarked on or before the close of the filing window for the Funding Year. It is the responsibility of the applicant to ensure that all Forms are submitted to the SLD in a correct and timely manner.
- SLD denied your funding request(s) because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et . al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW

April 11, 2005

LAURA ZYLBERBERG
ORANGE-ULSTER BOCES
5 BOCES ROAD
POUGHKEEPSIE, NY 12601

Re: Applicant's Form Identifier: 05-HVDN-KINGSTON-471
Form 471 Application Number: 483774

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 03/02/2005, which is AFTER the 2005-2006

filing window closed at 11:59 p.m. EST on Friday, February 18, 2005.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2005-2006 applications, about funding for applications filed after the close of the filing window or about plans for the 2006-2007 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

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1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.

5. Provide an authorized signature on your letter of appeal.

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To submit your appeal to the SLD by fax, fax your appeal to (973)599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

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Schools and Libraries Division
Universal Service Administrative Company

Dutchess County Board of Cooperative Educational Services

Administrative Offices: 845.486.4800

Internet: www.dcboces.org

Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Orange-Ulster BOCES
Billed Entity No. 201792
471 Application No. 483774

Gentlemen:

I am appealing the decision of the SLD dated April 11, 2005 for the above applicant. Attached is a copy of the letter I received notifying that the “certification was postmarked outside of window”.

Orange-Ulster BOCES appeals this determination for the following reason:

- A. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I accepted this answer and submitted applications on file hitting the “paper certification” box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the “submit” key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated “it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application.” It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

5 BOCES Road, Poughkeepsie, New York 12601
Phone: 845.486.4820 • Fax: 845.486.4821
E-mail: CARLIND@ADMIN.DCBOCES.ORG

I relied on the SLD direction that the Item 21 attachment need not be submitted by the close of the window and that mailing the certification and Item 21 attachment separately might delay review of the application. That reliance was also due to the fact that I had completed the certification portion of 471 application on-line and hit the "submit" button. My copy of the 471 printed from the SLD web site after the application was submitted shows the certification boxes checked. This has been the process followed by the SLD since it first permitted filing on-line. I believe the direction was confusing and misleading since the application is in jeopardy of denial.

On behalf of Orange-Ulster BOCES, I respectfully request that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script, reading "Laura Zylberberg".

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

September 06, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: ORANGE-ULSTER BOCES
Billed Entity Number: 201792
Form 471 Application Number: 483774
Funding Request Number(s): 1340788
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1340788
Decision on Appeal: **Denied**
Explanation:

- On appeal, you seek reversal of SLD's decision to classify the above listed Form 471 Certification as postmarked outside of the 2005-2006 filing window. You state that you reviewed the procedures for processing Item 21 Attachments, posted on The Universal Service Administrative Company, Schools & Libraries Division website. Per the SLD website reference, you maintain that the procedures do not clearly state that the submission of the Form 471 Certification with a postmark after the close of the filing window would result in a denial of the application. You assert that by filing your Form 471 online and completing the certification portion online that this should satisfy the requirements of filing within the window. You request that SLD grant this appeal and change the Form 471 status as certified inside the filing window.

- In your letter of appeal, you acknowledge that your Form 471 was filed online and that the Form 471 Certification portion was also completed online. In your letter of appeal, you reference the procedures on The Universal Service Administrative Company, Schools & Libraries Division website for processing Item 21 Attachments. The Form 471 Minimum Processing Standards and Filing Requirements, posted on the SLD website, clearly state that the Form 471 Block 6 Certification page must be completed and postmarked on or before the close of the filing window for the Funding Year. It is the responsibility of the applicant to ensure that all Forms are submitted to the SLD in a correct and timely manner.
- SLD denied your funding request(s) because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et. al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW

April 11, 2005

LAURA ZYLBERBERG
ORANGE-ULSTER BOCES
5 BOCES ROAD
POUGHKEEPSIE, NY 12601

Re: Applicant's Form Identifier: 05-OUHVDN-471
Form 471 Application Number: 484330

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 02/25/2005, which is AFTER the 2005-2006

filing window closed at 11:59 p.m. EST on Friday, February 18, 2005.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2005-2006 applications, about funding for applications filed after the close of the filing window or about plans for the 2006-2007 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site. Click "continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973)599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

Dutchess County Board of Cooperative Educational Services

Administrative Offices: 845.486.4800

Internet: www.dcbores.org

Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Orange-Ulster BOCES
Billed Entity No. 201792
471 Application No. 484330

Gentlemen:

I am appealing the decision of the SLD dated April 11, 2005 for the above applicant. Attached is a copy of the letter I received notifying that the “certification was postmarked outside of window”.

Orange-Ulster BOCES appeals this determination for the following reason:

- A. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I accepted this answer and submitted applications on file hitting the “paper certification” box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the “submit” key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated “it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application.” It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

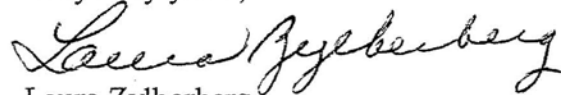
5 BOCES Road, Poughkeepsie, New York 12601
Phone: 845.486.4820 • Fax: 845.486.4821
E-mail: CARLIND@ADMIN.DCBOCES.ORG

I relied on the SLD direction that the Item 21 attachment need not be submitted by the close of the window and that mailing the certification and Item 21 attachment separately might delay review of the application. That reliance was also due to the fact that I had completed the certification portion of 471 application on-line and hit the "submit" button. My copy of the 471 printed from the SLD web site after the application was submitted shows the certification boxes checked. This has been the process followed by the SLD since it first permitted filing on-line. I believe the direction was confusing and misleading since the application is in jeopardy of denial.

On behalf of Orange-Ulster BOCES, I respectfully request that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Laura Zylberberg".

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

September 06, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: ORANGE-ULSTER BOCES
Billed Entity Number: 201792
Form 471 Application Number: 484330
Funding Request Number(s): 1342134
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1342134

Decision on Appeal: **Denied**

Explanation:

- On appeal, you seek reversal of SLD's decision to classify the above listed Form 471 Certification as postmarked outside of the 2005-2006 filing window. You state that you reviewed the procedures for processing Item 21 Attachments, posted on The Universal Service Administrative Company, Schools & Libraries Division website. Per the SLD website reference, you maintain that the procedures do not clearly state that the submission of the Form 471 Certification with a postmark after the close of the filing window would result in a denial of the application. You assert that by filing your Form 471 online and completing the certification portion online that this should satisfy the requirements of filing within the window. You request that SLD grant this appeal and change the Form 471 status as certified inside the filing window.

- In your letter of appeal, you acknowledge that your Form 471 was filed online and that the Form 471 Certification portion was also completed online. In your letter of appeal, you reference the procedures on The Universal Service Administrative Company, Schools & Libraries Division website for processing Item 21 Attachments. The Form 471 Minimum Processing Standards and Filing Requirements posted on the SLD website, clearly state that the Form 471 Block 6 Certification page must be completed and postmarked on or before the close of the filing window for the Funding Year. It is the responsibility of the applicant to ensure that all Forms are submitted to the SLD in a correct and timely manner.
- SLD denied your funding request(s) because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et . al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company

Schools & Libraries Division

**FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW**

April 8, 2005

LAURA ZYLBERBERG
MIDDLETOWN CITY SCHOOL DIST
5 BOCES ROAD
POUGHKEEPSIE, NY 12601

**Re: Applicant's Form Identifier: 05MIDDLETOWN-INF-471
Form 471 Application Number: 468633**

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 03/15/2005, which is AFTER the 2005-2006

filing window closed at 11:59 p.m. EST on Friday, February 18, 2005.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2005-2006 applications, about funding for applications filed after the close of the filing window or about plans for the 2006-2007 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),

AND

 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site. Click "continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973)599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

Dutchess County Board of Cooperative Educational Services

Administrative Offices: 845.486.4800

Internet: www.dcbooces.org

Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Middletown City School District
Billed Entity No. 123738
471 Application No. 468633

Gentlemen:

I am appealing the decision of the SLD dated April 8, 2005 for the above applicant. Attached is a copy of the letter I received notifying that the “certification was postmarked outside of window”.

The Middletown City School District appeals this determination for the following reason:

- A. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I accepted this answer and submitted applications on file hitting the “paper certification” box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the “submit” key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated “it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application.” It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

5 BOCES Road, Poughkeepsie, New York 12601

Phone: 845.486.4820 • Fax: 845.486.4821

E-mail: CARLIND@ADMIN.DCBOCES.ORG

I relied on the SLD direction that the Item 21 attachment need not be submitted by the close of the window and that mailing the certification and Item 21 attachment separately might delay review of the application. That reliance was also due to the fact that I had completed the certification portion of 471 application on-line and hit the "submit" button. My copy of the 471 printed from the SLD web site after the application was submitted shows the certification boxes checked. This has been the process followed by the SLD since it first permitted filing on-line. I believe the direction was confusing and misleading since the application is in jeopardy of denial.

On behalf of the Middletown City School District, I respectfully request that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Laura Zylberberg".

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

September 08, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: MIDDLETOWN CITY SCHOOL DIST
Billed Entity Number: 123738
Form 471 Application Number: 468633
Funding Request Number(s): 1289932
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1289932
Decision on Appeal: **Denied**
Explanation:

- On appeal, you are requesting reconsideration of SLD's decision to classify this application as postmarked outside the window. In support of your appeal, you state that you attempted to obtain a PIN in order to certify the applications on-line and accepted advice from SLD personnel that you could not obtain a PIN until you filed applications for one year; therefore, you submitted the applications hitting the "paper certification" box. You state that all boxes were checked when you hit the submit key. You also state that the website reference did not indicate that submitting the certification and the Item 21 attachments after February 18, 2005, would result in the denial of the application. Finally, you inferred from the website that mailing the Item 21 and the certification separately might cause problems and delay review of the application.

- Review of the appeal letter and all supporting documentation indicates that your Form 471 certification was mailed with the Item 21 documentation, postmarked on March 15, 2005. You have acknowledged on appeal that the certification was sent after the close of the filing window. It is the applicant's responsibility to ensure that all forms are completed correctly and submitted in a timely manner.
- SLD denied your funding request because it determined that your Form 471 certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

**FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW**

April 26, 2005

LAURA ZYLBERBERG
DUTCHESS BOCES
5 BOCES ROAD
POUGHKEEPSIE, NY 12601-6546

**Re: Applicant's Form Identifier: 05DUTCHESS-1-471
Form 471 Application Number: 462436**

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 02/22/2005, which is AFTER the 2005-2006

filing window closed at 11:59 p.m. EST on Friday, February 18, 2005.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2005-2006 applications, about funding for applications filed after the close of the filing window or about plans for the 2006-2007 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),

AND

 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site. Click "continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

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To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

Dutchess County Board of Cooperative Educational Services

Administrative Offices: 845.486.4800

Internet: www.dcboces.org

Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Dutchess BOCES
Billed Entity No. 124258
471 Application No. 462436

Gentlemen:

I am appealing the decision of the SLD dated April 26, 2005 for the above applicant. Attached is a copy of the letter I received notifying that the “certification was postmarked outside of window”.

Dutchess BOCES appeals this determination for the following reason:

- A. Dutchess Boces has filed applications since funding year 1. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I have been signing forms and paperwork on behalf of Dutchess Boces for at least four years. However, I accepted this answer and submitted applications on file hitting the “paper certification” box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the “submit” key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated “it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application.” It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

5 BOCES Road, Poughkeepsie, New York 12601
Phone: 845.486.4820 • Fax: 845.486.4821
E-mail: CARLIND@ADMIN.DCBOCES.ORG

SLD Letter of Appeal

May 6, 2005

I relied on the SLD direction that the Item 21 attachment need not be submitted by the close of the window and that mailing the certification and Item 21 attachment separately might delay review of the application. That reliance was also due to the fact that I had completed the certification portion of 471 application on-line and hit the "submit" button. My copy of the 471 printed from the SLD web site after the application was submitted shows the certification boxes checked. This has been the process followed by the SLD since it first permitted filing on-line. I believe the direction was confusing and misleading since the application is in jeopardy of denial.

Dutchess BOCES respectfully requests that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script that reads "Laura Zylberberg". The signature is written in dark ink and is positioned above the printed name and title.

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

August 19, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: DUTCHESS BOCES
Billed Entity Number: 124258
Form 471 Application Number: 462436
Funding Request Number(s): 1270955, 1271051
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1270955, 1271051
Decision on Appeal: **Denied**
Explanation:

- On appeal, you seek the reversal of SLD's decision to classify the above listed Form 471 Certification as postmarked as outside of the filing window. You state that you reviewed the procedures on the Universal Service website for the Schools & Libraries Division for the Item 21 Attachments. From this review, you maintain that the procedures do not clearly state that the submission of the Block 6 Certification with the postmark after the close of the filing window would result in the denial of the application. You assert that from filing your Form 471 online and completing the submission should satisfy the requirements of filing within the window. You request SLD to grant this appeal and change the Form 471 status as certified as inside of the filing window.

- In your letter of appeal, you acknowledge that your Block 6 Certification was postmarked on February 22, 2005, which is after the close of the filing window. In your letter of appeal, you also reference the procedures on the Universal Service website for the Schools & Libraries Division regarding the Item 21 Attachments. A review of the Form 471 Minimum Processing Standards and Filing Requirements clearly states that the Block 6 Certification must be completed and postmarked prior to the close of the filing window for the Funding Year. It is the responsibility of the applicant to ensure that all Forms are submitted to the SLD in a correct and timely manner.
- SLD denied your funding request(s) because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et . al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

**FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW**

April 26, 2005

LAURA ZYLBERBERG
DUTCHESS BOCES
5 BOCES ROAD
POUGHKEEPSIE, NY 12601

Re: Applicant's Form Identifier: 05DBOCES-CELL-471
Form 471 Application Number: 472314

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 02/23/2005, which is AFTER the 2005-2006

filing window closed at 11:59 p.m. EST on Friday, February 18, 2005.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of 2005-2006 applications, about funding for applications filed after the close of the filing window or about plans for the 2006-2007 application process, please visit our web site or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),

AND

 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site. Click "continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973)599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

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*Assistant Superintendent
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John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Dutchess BOCES
Billed Entity No. 124258
471 Application No. 472314

Gentlemen:

I am appealing the decision of the SLD dated April 26, 2005 for the above applicant. Attached is a copy of the letter I received notifying that the “certification was postmarked outside of window”.

Dutchess BOCES appeals this determination for the following reason:

- A. Dutchess Boces has filed applications since funding year 1. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I have been signing forms and paperwork on behalf of Dutchess Boces for at least four years. However, I accepted this answer and submitted applications on file hitting the “paper certification” box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the “submit” key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated “it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application.” It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

5 BOCES Road, Poughkeepsie, New York 12601

Phone: 845.486.4820 • Fax: 845.486.4821

E-mail: CARLIND@ADMIN.DCBOCES.ORG

I relied on the SLD direction that the Item 21 attachment need not be submitted by the close of the window and that mailing the certification and Item 21 attachment separately might delay review of the application. That reliance was also due to the fact that I had completed the certification portion of 471 application on-line and hit the "submit" button. My copy of the 471 printed from the SLD web site after the application was submitted shows the certification boxes checked. This has been the process followed by the SLD since it first permitted filing on-line. I believe the direction was confusing and misleading since the application is in jeopardy of denial.

Dutchess BOCES respectfully requests that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script, reading "Laura Zylberberg".

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

August 19, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: DUTCHESS BOCES
Billed Entity Number: 124258
Form 471 Application Number: 472314
Funding Request Number(s): 1301228
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1301228
Decision on Appeal: **Denied**
Explanation:

- On appeal, you seek the reversal of SLD's decision to classify the above listed Form 471 Certification as postmarked as outside of the filing window. You state that you reviewed the procedures on the Universal Service website for the Schools & Libraries Division for the Item 21 Attachments. From this review, you maintain that the procedures do not clearly state that the submission of the Block 6 Certification with the postmark after the close of the filing window would result in the denial of the application. You assert that from filing your Form 471 online and completing the submission should satisfy the requirements of filing within the window. You request SLD to grant this appeal and change the Form 471 status as certified as inside of the filing window.

- In your letter of appeal, you acknowledge that your Block 6 Certification was postmarked on February 23, 2005, which is after the close of the filing window. In your letter of appeal, you also reference the procedures on the Universal Service website for the Schools & Libraries Division regarding the Item 21 Attachments. A review of the Form 471 Minimum Processing Standards and Filing Requirements clearly states that the Block 6 Certification must be completed and postmarked prior to the close of the filing window for the Funding Year. It is the responsibility of the applicant to ensure that all Forms are submitted to the SLD in a correct and timely manner.
- SLD denied your funding request because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et. al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

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Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

FUNDING YEAR 2005 FORM 471 CERTIFICATION
POSTMARKED OUTSIDE OF WINDOW

April 26, 2005

LAURA ZYLBERBERG
DUTCHESS BOCES
5 BOCES ROAD
POUGHKEEPSIE, NY 12601

Re: Applicant's Form Identifier: 05DBOCES-ISDN471
Form 471 Application Number: 470865

Dear LAURA ZYLBERBERG:

We are sending this letter to thank you for your recent Form 471 application. Your Form 471 Certification was postmarked on 02/22/2005, which is AFTER the 2005-2006

filing window closed at 11:59 p.m. EST on Friday, February 18, 2005.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the SLD section of the USAC web site at www.sl.universalservice.org once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

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1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant name,
 - BEN,
 - Application number as assigned by the SLD,
 - Name of the letter and funding year (both are located at the top of the letter),AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.
5. Provide an authorized signature on your letter of appeal.

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Clare C. Garvey
*Assistant Superintendent
Educational Services*

John C. Pennoyer
District Superintendent

L. Daniel Carlin
*Assistant Superintendent
Management Services*

May 6, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Re: Applicant – Dutchess BOCES
Billed Entity No. 124258
471 Application No. 470865

Gentlemen:

I am appealing the decision of the SLD dated April 26, 2005 for the above applicant. Attached is a copy of the letter I received notifying that the “certification was postmarked outside of window”.

Dutchess BOCES appeals this determination for the following reason:

- A. Dutchess Boces has filed applications since funding year 1. Before the window opened for the 05/06 funding year, I attempted to obtain a PIN in order to certify the applications on-line. SLD personnel advised me that I could not obtain a PIN until I had filed applications for one year. I have been signing forms and paperwork on behalf of Dutchess Boces for at least four years. However, I accepted this answer and submitted applications on file hitting the “paper certification” box.
- B. All certification boxes were checked on the 471 application when I completed the application on-line and hit the “submit” key.
- C. The SLD web site had a reference to the Item 21 attachments. The reference stated “it is not required that the Item 21 attachment be submitted with the certification, but it should be submitted as soon as possible after submission of the 471 application.” It also alluded that mailing the certification and Item 21 attachments separately might cause problems and delay review of the application. There was nothing in this reference which indicated that submitting the certification and the Item 21 attachments after 2/18/05 would result in denial of the application since it would be postmarked outside the window.

5 BOCES Road, Poughkeepsie, New York 12601
Phone: 845.486.4820 • Fax: 845.486.4821
E-mail: CARLIND@ADMIN.DCBOCES.ORG

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Dutchess BOCES respectfully requests that the SLD grant this appeal and change the 471 status and begin review for approval of funding for this application.

You may contact Laura Zylberberg, Dutchess BOCES, 5 BOCES Road, Poughkeepsie, NY 12601, telephone (845) 486-4800 Ext. 280; fax no. (845) 486-4824 to discuss this appeal.

Very truly yours,

A handwritten signature in cursive script, reading "Laura Zylberberg".

Laura Zylberberg
Staff Specialist

Enclosure



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

August 19, 2005

Laura Zylberberg
Dutchess BOCES
5 BOCES Road
Poughkeepsie, NY 12601

Re: Applicant Name: DUTCHESS BOCES
Billed Entity Number: 124258
Form 471 Application Number: 470865
Funding Request Number(s): 1297190, 1297194
Your Correspondence Dated: May 06, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1297190, 1297194
Decision on Appeal: **Denied**
Explanation:

- On appeal, you seek the reversal of SLD's decision to classify the above listed Form 471 Certification as postmarked as outside of the filing window. You state that you reviewed the procedures on the Universal Service website for the Schools & Libraries Division for the Item 21 Attachments. From this review, you maintain that the procedures do not clearly state that the submission of the Block 6 Certification with the postmark after the close of the filing window would result in the denial of the application. You assert that from filing your Form 471 online and completing the submission should satisfy the requirements of filing within the window. You request SLD to grant this appeal and change the Form 471 status as certified as inside of the filing window.

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- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

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We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company